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BIOGRAPHY OF THE SIGNERS

TO THE

DECLARATION OF INDEPENDENCE.

BY

ROBERT T. CONRAD.

Illustrated with numerous Engravings

OF

THE PORTRAITS AND RESIDENCES OF THE SIGNERS, ETC., ON INDIA PAPER, MOUNTED.

THIRTY COPIES PRINTED.

PHILADELPHIA:

1884.

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P R E F A C E.

A NEW edition, with additions, of this well-known book is offered to the public, with a sincere desire that it will assist to heal up the wounds that have scarcely ceased bleeding during the last four years of war.

The Union that these honest patriots made in 1776 was not of that thorough character which Hamilton and his school desired; it was only partial—more in name than in reality—and it remained for this rebellious war to materially, let us hope entirely, correct. The principle of State Rights commenced with the formation of the Colonies; it grew with them for nearly two centuries; and could it be expected that in a revolt against their parent country, to whom they showed great attachment, they would at once merge their liberties into a central government and ignore their previous colonial rights? It could scarcely be expected that a nation so fond of traditions and so jealous of change would do so. The “Signers” knew the full meaning of their various instructions. Many of them would have made a stronger government if they could have done so; but they saw that the old colonial rights of State government must be incorporated with the new Constitution, though it would not be so strong as they desired. The opposition of the Federalists against the Jeffersonian school was for a number of years of the bitterest kind; but at last the Federalists changed their tactics, and to a great extent their opinions. The relations of the States since the termination of this war have been materially modified in spirit, though not in form. So delicate is the question of State Rights, that it is but fair to presume that though this war has, to a great extent, originated in this question, yet the fear of centralization is so great that the General Government will not disturb the present relations it holds—its additional power—which is infinitely greater than it ever was, in spirit, though not in form.

I shall introduce into this new edition illustrations which have not appeared in any previous one, but which have appeared only in the “Book of the Signers.”

An historical account of these illustrations will, for the first time, appear in this edition; and it is to be hoped that these ephemera,

collected from various sources while engaged in procuring these illustrations, will assist in filling up some historic niches.

The new matter relating to John Hart will be appreciated by the American student. In this place we desire to correct an error in regard to John Hart. In the "Book of the Signers" is an illustration of a church at Hopewell, N. J., in which I there state that this church was built by John Hart. He did not build the church, but he gave the ground on which it is erected.

I tender my acknowledgments to General JOHN MEREDITH READ, Junior, of Albany, N. Y., for the original and very concise memoir of George Read, of whom he is an honored descendant; also for the *new view* of the residence of George Read, and *new portrait*, which has been engraved expressly for this edition. This portrait of George Read is from the burin of S. Sartain, the "Cousins" of America.

REMARKS ON THE ILLUSTRATIONS.

Residence of JOHN and JOHN QUINCY ADAMS.

The house in which these two great men were born is still standing at Quincy, Massachusetts, and this State—ever proud of her sons—will honor it, it is hoped, forever.

Residence of ELBRIDGE GERRY, Cambridge, Massachusetts.

This house is in good repair, and is now occupied by that distinguished poet, James Russell Lowell.

Residence of W. WHIPPLE, Portsmouth, N. H.

This residence I had photographed by the kindness of its present occupant, and let us trust it will be remembered as a sacred landmark by the people of Portsmouth.

Residence of MATTHEW THORNTON, Derry, N. H.

This house is still standing. I had it photographed in 1860, and it retains all that stern simplicity which was characteristic of the old colonial days.

Monument to STEPHEN HOPKINS, Providence, R. I.

Rhode Island has done herself infinite honor in erecting a monument to so good and pure a man.

It is to be regretted that but few States have erected any monument to the signers of each State.

Residence of ROGER SHERMAN, New Haven, Connecticut.

Among the most pleasing facts which an historian has to narrate, connected with persons, is that the person rose from humble rank. This residence of a once poor shoemaker has an air of comfort and coziess distinctive of American life.

Residence of SAMUEL HUNTINGDON, Norwich, Connecticut.

This residence is pleasantly situated, and surrounded with trees, making it quite picturesque, the usual accompaniments of a country house.

Residence of WM. WILLIAMS, Lebanon, Connecticut.

A plain, simple, two-storied house, designed, evidently, for comfort and not for ornament.

Residence of OLIVER WOLCOTT, South Street, Litchfield, Conn.

This house is very prettily situated; it has a chaste portico, with strong and convenient out-buildings.

Birthplace of FRANCIS LIGHTFOOT LEE and RICHARD HENRY LEE, Leesburg, Virginia.

A fine commodious house, filled with historic interest. The name of Lee will ever be associated with the darkest page of Virginia's history. Every true and loyal man might shed a tear when he thinks of one of her ablest sons fighting against that government which honored him.

Residence of RICHARD STOCKTON, Princeton, N. J.

This view I had photographed. The house is in a fine state of preservation, and is highly prized by the family.

Residence of JOHN WITHERSPOON, Mercer County, N. J.

This view of the house I had photographed. It is a roomy, convenient house; it is highly valued by the residents, and it is hoped that no sacrilegious hand will ever deface its beauty.

Residence of FRANCIS HOPKINSON, Bordentown, N. J.

This house was also photographed for me. It is a strong, substantial building, without any special claims to beauty. It is still occupied by the Hopkinson family, who are proud of their lineage.

HOPWELL CHURCH, Hopewell, N. J.

The ground on which this church is built, at Hopewell, N. J., was given by John Hart. It is strange that neither portrait nor residence of John Hart is known to be in existence; all that is connected with his memory is the above illustration, and a monument which has just been finished and erected to his memory by a few of his admirers at Hopewell, N. J.

Residence of ABRAHAM CLARK, Elizabethtown, N. J.

This view was photographed for me. It is one of those old-fashioned country-houses, more remarkable for room than elegance of construction.

Residence of GEO. WASHINGTON and R. MORRIS, south-east corner of Sixth and Market Streets, Philadelphia.

These two fine, roomy residences were pulled down some years ago. The building on the corner, which was occupied by R. Morris, was afterwards used as the Schuylkill Bank, which collapsed some time ago, and this building was torn down about fifteen years since, and on its place was erected another building, which is now occupied as a clothing store. It is proper to state here that part of the house which is here shown as the one where Washington lived, is still standing, and forms part of the store which is now erected on its former site. My obliging friend, C. A. Poulson, Esq., whose love for local lore is so well known, sketched, at my request, from his memory, the annexed views.

Residence of Dr. B. RUSH, No. 38 S. Fourth Street, Philadelphia.

This residence, formerly known as the "Shippen Mansion," having previously belonged to that well-known family, is no more. This view was sketched from memory, at my request, by C. A. Poulson, Esq., and thus saved from oblivion. The celebrated Dr. Rush died here.

Residence of BENJ. FRANKLIN, and Place of Burial.

The house in which Benj. Franklin was born is a quaint old building, and very picturesque. Boston, that gave him birth, can very proudly claim him as one of her noblest sons. The burial-place at the corner of Fifth and Arch was sketched for me by an artist whose name I forget. It is one of the best views that can be given. It is but a few years since the wall was taken down, and a new iron palisading put up in its place, so that passers-by can stop and see the place where the mortal remains of Benjamin Franklin lie.

Residence of JOHN MORTON, Delaware County, Pa.

This picturesque house is still standing, and was photographed for me as it is represented. The Morton family still occupy it, and feel a proper family pride in this honored name.

Residence of GEORGE CLYMER, Chestnut St. near Seventh, Philada.

This view was sketched from memory by my respected friend C. A. Poulson, Esq., and has, like the rest of his sketches, been endorsed by numbers of our old inhabitants as correct in every respect. I cannot be too thankful for these kindnesses, to Mr. Poulson, and I trust the public will appreciate my efforts, as I do his, in presenting them as they are now sketched.

Residence of JAMES WILSON, "Fort Wilson," south-west corner of Third and Walnut Streets, Philadelphia.

I am again indebted to the pen of Mr. Poulson for this view. It was called "Fort Wilson," because of Judge Wilson and others protecting themselves from a mob that attacked them.

Residence of JAMES SMITH, 78 S. George Street, York, Pa.

This sketch was drawn for me by an old inhabitant of York, who knew James Smith well. The smaller building was his law office. It is not a very artistic production, but it is the best I could get.

Residence of GEORGE TAYLOR, Easton, Pa.

This residence was sketched for me by a citizen of the town; it is still standing, and is highly honored by the people.

Residence of GEORGE ROSS, Lancaster, Pa.

This house was pulled down in 1852, but I was very fortunate in procuring a Daguerreotype of it, from which this view is engraved. The property, which was owned by G. Ross, is still held by some branches of the family, who entertain a profound respect for so illustrious an ancestor.

Residence of CÆSAR RODNEY, Dover, Delaware.

This residence, as it now stands, was photographed for me, and I can only regret that the State of Delaware allows such a house to be in so dilapidated a condition. The State ought not to allow this, but should preserve it for all time.

Residence of GEORGE READ, New Castle, Del.

This residence has been sketched from memory by some of the members of the Read family, and is said to be an excellent and correct view. The drawing has been done under the superintendence of General JOHN MEREDITH READ, Junior, of Albany, who is well known, and contributes to this edition a new life of his ancestor.

Residence of THOMAS McKEAN, S. Third Street, Philada.

This house was pulled down some years ago, but the view has been preserved by our local historian, J. F. Watson. It was formerly occupied by the Rev. Mr. Duché, who figured so conspicuously in the Revolution as Chaplain to Congress.

Residence of Judge SAMUEL CHASE, Baltimore, Md.

This spacious and handsome residence is worthy of one of the oldest sons of Maryland. This sketch was sent to me by one who knew it well.

Residence of WM. PACA, Queenstown, Md.

This residence is still standing, and is in possession of the family. The view is taken from a photograph taken for me, and is, in every sense of the word, a residence fit for a gentleman.

Residence of THOMAS STONE, Port Tobacco, Md.

This view I had photographed. The house is spacious, roomy, and picturesquely situated on the road near Port Tobacco, and close to the banks of the Potomac. It is still owned and occupied by the Stone family.

Residence of CHARLES CARROLL, near Baltimore, Md.

This house, in style and construction, is worthy of such a great man as Charles Carroll, of Carrollton. He was among the most distinguished and wealthy men of his day, and one of the proudest and wealthiest of an English family sought his daughter's hand in marriage.

Residence of THOMAS NELSON, Yorktown, Va.

This edifice is still standing, unless the ravages of this war have levelled it to the ground, which we are not aware of. Poor Yorktown! It has passed through two wars, the last the most bloody and important to the interests of the world.

Residence of CARTER BRAXTON, Newington, Va.

This plain, simple country dwelling is still standing, or was in 1861, when I had it photographed. I ardently hope ruthless war has not destroyed it.

CHRIST CHURCH, Philadelphia.

There being no residence known of JOSEPH HEWES, I selected this, his burial place, as the most suitable illustration, and also because of its being the most classic historic church in the country.

Residence of JOHN PENN, Granville, N. C.

This sketch was sent to me by a resident there, and is believed to be as near accurate as memory can give.

Residence of EDWARD RUTLEDGE, Charleston, S. C.

This view was given to me by Dr. Holbrook, who married one of the daughters of E. Rutledge, and unless the severe bombardment of this war has destroyed it, it still ranks as one of the first houses of this sad city. Alas! what a change! Here, in this very house, assembled not only the *elite* of Charleston, but of the whole country around.

Residence of THOMAS HEYWARD, Charleston, S. C.

This house was photographed for me by one of the family in 1860, and unless the guns of Gen. Gillmore have defaced or destroyed it, it still stands, the honored remains of a once wealthy family.

THOMAS LYNCH, Junior.

There is less known of this Signer than of any other. Not a letter of his is known to be in existence, nor does any one know the house where he lived, or where he was born. It is known that he went to sea for the benefit of his health, and there it is supposed he met with a watery grave. All that is known to be left of his handwriting is his signature on his books which were left, belonging to his library, and his signature to the Declaration of Independence. In the absence of his residence, I instructed Mr. Ferris, an *able artist*, to furnish the accompanying design. He was in both the infantry and cavalry, and hence the designs. The ship is typical of how he met with his death. The State Arms are those of his native State, Georgia.

Residence of ARTHUR MIDDLETON, eighteen miles from Charleston, S. C.

This spacious country residence I had photographed through the family, and I presume it still stands as the property of one of the best and oldest families of this State.

BUTTON GWINNETT.

As the place of his birth, or where he resided, seems lost in obscurity, I instructed Mr. Ferris to furnish the accompanying design, as it seems, from all that is known of him, to have been the most prominent act of his life, sad and melancholy as it ended.

N. B. Remarks on the Illustrations which are here omitted, have previously appeared in some other work.

INTRODUCTION.

THE "Lives of the Signers to the Declaration of Independence," though, with the modesty which characterised its author, given to the public anonymously, is known to have been the production of the late John Sanderson, Esq. The biographer could have found no subject more worthy of his powers, nor the subject an abler biographer. His classical attainments, his profound research, his original and sprightly genius, and, more than all, a patriotism upon which his country and her glory were reflected without a distorting partizan tint, peculiarly fitted him for the high and holy task of garnering up, and transmitting to a grateful posterity, the virtues of those who rocked the cradle of an infant empire. The result of his protracted and enlightened labours needs now no commendation; it is universally, and with just admiration, appreciated, and will advance in value and reputation as time obliterates the scattered recollections and records of those whose memory embalm his pages.

The original Biography, however, comprising five octavo volumes, has been found too voluminous and expensive for general circulation; and the publishers, aware of the general demand for an abridged and popular work on a subject so interesting to every American, determined to present the public with a single volume which should contain the substance and spirit of the original. It is sincerely regretted that this task was not accomplished by the amiable and gifted author of the *Lives of the Signers*, before his lamented demise. It has, however, been the object of the editor to retain as much, and change as little, of the original as possible. Its unnecessary and fruitless boughs have been lopped off; but it is believed that neither its usefulness, interest, nor symmetrical and classic beauty have been impaired. The portions omitted are documentary evidences, the details which belong rather to history than to biography, the somewhat tedious accounts of the ancestry of the Signers, and the frequent historical repetitions incident to an account of so large a number of actors in a single drama. In the biographical narrative, though useless and uninteresting details have been dropped or abbreviated, the main action, if we may so express ourselves, has been left untouched in volume and character, being retained, generally in the elegant diction of the author. The pruning-knife has been used oftener than the pen; and it may,

indeed, be doubted whether, by the excision of lifeless details and elaborate reflections, the spirit and interest of the work are not heightened, while the biography is compressed within a compass which renders it accessible to every American reader.

The genius, virtues, and sacrifices of the "Signers"—are they not graven on every American heart? The editor will not presume to praise them. Their eulogy has been exhausted; for the noblest intellects of the land have been ambitious to win the fame of successful panegyrists. Simply, as the founders of a structure upon which the startled world looks with admiring awe, as the authors of a movement which promises to embrace the family of the world within the holy influences of gentle justice, and peaceful right to all men—their names are star-like. But a careful review of their biography affords aggregate facts elucidating the character of the congress of '76, as a body, which, it is believed, no writer upon the subject, however painstaking, has had the patience to embody. We deem no apology necessary for presenting some of the results of such an investigation to our readers; for the inquiry is not curious merely: in learning under what influences American liberty germinated and grew, we may be taught how to nurture and sustain it.

The *birth-place* of the Signers, as the natal home of liberty, is an interesting inquiry. They were all natives of the soil, with the exception of eight, who had immigrated in youth or early manhood. Among the exceptions, we find the revered names of Robert Morris, Witherspoon, and Wilson. Of those born in America, the birth-place of sixteen was in the eastern, fourteen in the middle, and eighteen in the southern, colonies. It should be remembered, however, that the representation was unequal, various, and almost accidental. Congress voted by colonies, and the number of colonial representatives did not affect the result. The birth-place of the Signers may be given as follows.—Of the European signers, two were from England, three from Ireland, two from Scotland, and one from Wales; in all eight. The majority of these, were among the earliest and more ardent of the advocates of independence. Of those born in this country, one was a native of Maine; nine of Massachusetts; two of Rhode Island; four of Connecticut; three of New York; four of New Jersey; five of Pennsylvania; two of Delaware; five of Maryland; nine of Virginia; and four of South Carolina.

The *education* of that distinguished body is equally worthy the curiosity of the philosophic student. It may be doubted whether any popular political body has comprised so large a proportion of highly educated members. The number of those who had regularly graduated in the colleges of Europe or America was twenty-seven, or nearly one half the whole number. To the honour of Harvard it should be mentioned, that seven

of the Signers came from that venerable institution. Twenty other members may be named whose education, though not regularly collegiate, was either academic, or, by dint of unaided energy, as in the case of Franklin, was equal or superior to the ordinary course of the universities. Nine of the members only of that august body can be set down as of ordinary and plain education; though in that number are included men of extensive reading, enlightened views, and enlarged sagacity. The congress did not contain one uneducated member.

As further evidence of the enlightened character of these fathers of the republic, it should be stated, that many of them visited Europe and studied, at the fountain head, the principles of British constitutional liberty. Of the fifty-six members, twenty-five trod the soil, and studied the institutions, of the mother country. Some were born in Great Britain, many were educated there, and many visited it before or after the declaration. There is no movement on record to which so large an amount of political science, observation, wisdom, and experience was brought to bear, as in the American revolution.

The *condition in life* of most of the Signers was such as to dispel all suspicion of selfish motives in their action. Many of them were among the most affluent, as Hancock, Carroll, Morris, and others, who staked all upon the contest; the majority were possessed of an ample competence; and with the exception of Samuel Adams, "the poor gentleman," and a few others, all had, besides life, something to lose, and nothing but liberty to gain, from the conflict which they invoked.

The *pursuits in life* of the members of the congress afford some indication of their character and social position, and those of the classes and interests which they represented. The inquiry may dispel some unworthy prejudices as to classes. Nearly one half, to wit, twenty-four, of the Signers, were members of the legal profession, a body of whom it may be said, that they have been the original assertors and most faithful champions of constitutional liberty in all countries. Thirteen of the Signers were planters or farmers, the former being rather affluent land proprietors than practical agriculturists. Nine were merchants; five, physicians; two mechanics; one a clergyman; one a mariner; and one a surveyor. Many of these were engaged in mingled pursuits, and nearly all, were more or less interested in agriculture. It will be seen that a considerable majority were professional men.

The congress of independence exhibited a singularly just representation of the different stages of human life. Its youngest member was twenty-seven, its oldest, seventy, years of age. The mass of its members were in the most vigorous season of life—forty-two out of the fifty-six being between the ages of thirty and fifty years. The ages of the Signers, at the

date of the Declaration may be briefly stated as follows: From twenty-five to thirty years of age, three; from thirty to thirty-five, eleven; from thirty-five to forty, ten; from forty to forty-five, ten; from forty-five to fifty, ten; from fifty to fifty-five, three; from fifty-five to sixty, two; from sixty to sixty-five, four; from sixty-five to seventy, two. The oldest member was the venerable Franklin, who was then in his seventy-first year; and the youngest was the ardent Rutledge, who was but twenty-seven. The average age of the Signers, in July 1776, was forty-three years and ten months. To this combination of the ardour of youth with the vigour of matured manhood and the caution of experienced age, may we ascribe the enterprise, energy, and wisdom of those councils which elicited the splendid eulogium of Chatham, secured for a feeble people the confidence of timid sovereignties, and founded a republic whose presence occupies nearly half a hemisphere, and whose shadow is thrown over the world.

An inquiry into the history of the Signers subsequently to the Declaration, exhibits truths over which all who rejoice in the dignity of man must exult. They pledged their lives, their fortunes, and their sacred honour; and not one was false to the pledge—*not one!* They suffered much; some died from hardships encountered, some were imprisoned, many were impoverished, and all were tempted by promises, and menaced by the wrath of what seemed, for a time, an earthly omnipotence: but *all* stood firm. There was doubt previously to the declaration—none after. Every name shone brighter as the darkness thickened. Each patriot was a sun that stood fast, as that under the bidding of Joshua, until the battle of independence had been fought and won.

Another peculiarity should be mentioned. Not one of all that sacred band died with a stain upon his name. This work contains the biography of *all*; there is not one to blush for. Their lives, like the orbs that constitute the milky way, are one stream of light; and the glass of the historian, as it pierces the dim lustre, only reveals stars which are brighter as each is watched and studied. The annals of the world can present no political body, the lives of whose members, minutely traced, exhibit so much of the zeal of the patriot, dignified and chastened by the virtues of the man. Nearly all the Signers rose to high stations in their respective states and in the nation. The two members most active in the declaration of independence were elevated to the presidency of the republic; and, by a providential coincidence, departed this life on the anniversary of the day of their triumph, together, breathing the same blessing upon their common labours, and winging their way to their joint reward. The Signers while they lived justified, in the highest stations of the republic, the confidence reposed in them; and their monuments are the Meccas of

patriotism, where the freeman repairs to renew his pledge to the principles which they established, and his faith to the constitution which they and their compatriots erected and consecrated.

The history of the lives of the Signers is an encouragement to virtue. It would be a difficult task to collect in public life examples, in the face of danger, and under tribulation, of lives so illustrious and happy—of deaths so peaceful and honoured. Even Time seemed to relax in passing over those whose acts have illuminated all time. Their lives were passed in high and honourable action; their spirits excited by pure and lofty sentiments. In the temper of their minds, they owned the restraints of religion; in their habits they were, with a few exceptions, rigidly regular and temperate. Though severe, they were not gloomy; and, from the lofty standard of principles and action which they had adopted, though they ventured all, they could lose nothing, for fortune and life were nothing to them without freedom. The peace at home, in the heart, which attends such principles, seems to minister to health as well as to happiness. The longevity of the Signers has been made the subject of frequent remark. They lingered into an age beyond their own. It seemed a portion of their earthly reward, that they should witness the gathering of the rich and peaceful harvest which they had sown in tears and blood. The average age of the Signers at the time of their death, was sixty-eight years and four months. The oldest survivor was also the latest survivor, Charles Carroll of Carrollton, who was, at the time of his death, ninety-five years old.

“They are no more,” (we quote from an eminent living statesman,) “they are dead. But how little is there of the great and good which can die! To their country they yet live, and live for ever. They live in all that perpetuates the remembrance of men on earth: in the recorded proofs of their own great actions, in the offspring of their intellect, in the deep engraved lines of public gratitude, and in the respect and homage of mankind. They live in their example; and they live, emphatically, and will live, in the influence which their lives and efforts, their principles and opinions, now exercise, and will continue to exercise, on the affairs of men, not only in their own country, but throughout the civilized world. A superior and commanding human intellect, a truly great man, when Heaven vouchsafes so rare a gift, is not a temporary flame, burning bright for a while, and then expiring, giving place to returning darkness. It is rather a spark of fervent heat, as well as radiant light, with power to enkindle the common mass of human mind; so that when it glimmers in its own decay, and finally goes out in death, no night follows; but it leaves the world all light, all on fire, from the potent contact of its own spirit.”

Philadelphia, 1846.

R. T. C.



DECLARATION OF INDEPENDENCE.

IN CONGRESS, JULY 4, 1776.

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES
OF AMERICA.

WHEN, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires, that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident:—that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves, by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them. He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into a compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the State remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the laws of naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military, independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world :
For imposing taxes on us without our consent :
For depriving us, in many cases, of the benefits of trial by jury :
For transporting us beyond seas to be tried for pretended offences :
For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies.

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably inter-

rupt our connexions and correspondence. They too have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind—enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in General Congress assembled, appealing to the Supreme Judge of the world, for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the State of Great Britain is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honour

JOHN HANCOCK.



RES. OF JOHN HANCOCK. BOSTON.
MASS.

BIOGRAPHY
OF THE SIGNERS
TO THE
DECLARATION OF INDEPENDENCE.

JOHN HANCOCK.

JOHN HANCOCK, son of a gentleman of the same name, was born in the year 1737, in the colony of Massachusetts. The habitation of his father was situated near the present village of Quincy, and is now annexed to the estate of John Adams, former president of the United States. This same village gave birth to Samuel Adams; and, besides furnishing two of our chief magistrates, may be noted for the production of three of the most distinguished characters of the revolution.

His grandfather, who resided for half a century in the county of Middlesex, and in that part which is since called Lexington, and his father, were clergymen of good reputation.

Under the care of his uncle, a distinguished merchant and patron of science and literature, John Hancock, whose father had died during his infancy, received his entire education. He was graduated at Harvard college in 1754; having performed, we may suppose, the exercises of that institution with the usual celerity and success.

At the conclusion of his collegiate studies, Mr. Hancock entered as a clerk in the counting house of his uncle, who was then at the height of his commercial prosperity. In 1760, he visited England; was present at the funeral of George II. and at the coronation of his successor. Soon after his return to America he was invested, by the decease and munificence of his patron, and at the age of twenty-seven years, with a fortune which is said to have

been more magnificent than that of any other individual of his native province.

From this preliminary notice, we may now pursue him to the scenes of public life; for his ambition was not long confined to the precincts of the counting house, and his private life may be said to have ended with his minority.

He was first chosen selectman of the town of Boston, an office which he held many years; and was elected, in 1766, with James Otis, Samuel Adams, and Thomas Cushing, a representative to the general assembly of the province.

His introduction to public notice was favoured, with great interest, by his colleague Mr. Adams, which may be taken as no humble evidence of his competency and merit; for that gentleman is described, not only as a man of acute discrimination, but of a chaste and delicate honour, who used not willingly the instrumentality of vice, and who was not deceived by superficial or meretricious pretensions.

As representative of the provincial assembly, his colleagues certainly entertained the highest sense both of the excellence of his principles and abilities; for, as it appears from the journals of their proceedings, he was nominated to nearly all their important committees; and, notwithstanding the acknowledged dignity of many of his associates, appointed chairman upon deliberations involving the highest interests of the community.

During the first provocations of the British government, by which she excited discontent and opposition in her colonies, his diligence and talents were also exerted conspicuously. It was by his agency, and that of a few other citizens of Boston, that, for the purpose of causing such duties to be revoked, associations were instituted to prohibit the importation of British goods; a policy which, soon afterwards, being imitated in the other colonies, first kindled the apprehensions, and awoke the vigilance of the people to the preservation of their liberties. The agitation occasioned by these measures of opposition were attended, indeed, by great excitement, and, in some instances, by acts of dangerous outrage; of which may be mentioned amongst the most conspicuous, the case of Mr. Otis, a gentleman very eminently distinguished, at that time, for various accomplishments, and especially his eloquence, who, at the instigation of a British officer, was assailed with a violence which impaired his reason and accelerated his death.

About the same time, a vessel of Mr. Hancock, being loaded, it

was said, in contravention of the revenue laws, was seized by the custom-house officers, and carried under the guns of an armed vessel, at that time in the harbour, for security; but the people, exasperated by this offensive exertion of authority, assembled, and pursuing the officers, beat them with clubs, and drove them aboard their vessels, or to a neighbouring castle, where they fled for protection. The boat of the collector was then burnt in triumph, by the mob, and the houses of some of his most obnoxious adherents were, in the first transports of the popular fury, razed to the ground.

These riotous proceedings were, indeed, reprobated by the legal authorities, and instructions given for the punishment of the offenders; but the passions of the people, nevertheless, retained their excitement, and although the name only of Hancock, was connected with the transaction, he derived from it a great increase of popularity.

The governor of the province introduced, soon afterwards, into Boston, several regiments of British troops; a measure that more than all others, served to irritate the inhabitants and nourish the seeds of rebellion. The soldiery were prepossessed with an insolent contempt of the people amongst whom they were stationed, and, by a special discipline, prepared for acts of ferocity and violence. The inhabitants, on the other hand, independent of the feelings inspired by the insulting parade of foreign troops in their city, regarded them, on this occasion, as the instruments of a tyranny, which all the miseries and everlasting infamy of servitude forbade them to endure; and, under the empire of such sentiments, embittered very frequently by contumelious expressions, which men more promptly resent than real injuries, the parties did not long abstain from acts of violence and outrage.

On the evening of the fifth of March, 1770, a small party of the British soldiers parading in King street, were assailed with balls of snow and other accidental weapons by a tumultuary assemblage of citizens, who, by order of the commanding officer, were repelled with a discharge of musketry;—upon which occasion several of the crowd were wounded and a few were killed. This affray, which is usually termed “the massacre of Boston,” although originating in the provocations of the people, was regarded as an act of atrocious iniquity, which required an immediate and signal revenge. The alarm was spread through the town by the clamours of the inhabitants and tolling of bells, and multitudes, with whatever arms their

fury administered, flocked in from all sides. But during the confusion and stupefaction occasioned by so unusual and sanguinary a spectacle—for this was the first effusion of blood since the origin of their contentions—the offenders were withdrawn; and by this interception of their rage, by the intervention of individuals of the popular party, and by the assurances of the governor, that the guilty would be arrested for the punishment of the laws, all further acts of violence were prevented.

An assembly of the citizens was convened on the succeeding day, principally by the instigation of Mr. Samuel Adams, in which Mr. Hancock, with some others, was appointed to request of the governor, a removal of the British troops from the town. This, the governor, by interposing the plea of insufficient authority, endeavoured to evade. A second committee was then selected, of which Hancock was chairman, who voted the excuse inadmissible, and in a more spirited and peremptory tone urged and obtained their removal. The prominence of Mr. Hancock, during these transactions, affords a sufficient evidence of the high estimation in which he was, at that period, held by his countrymen.

The bodies of the slain being, a few days after their decease, borne to the place of burial, were deposited in the same tomb. Their obsequies were consecrated by many melancholy ceremonies, by the tolling of bells in Boston, and in the neighbouring towns; by funeral processions, and by various other emblematic demonstrations of mourning, which awoke the compassion or roused the indignation of the people. The speech delivered by Mr. Hancock upon this occasion, was a bold and burning denunciation of tyranny. The following extract may be given as a specimen of its style and temper.

“But I gladly quit this theme of death—I would not dwell too long upon the horrid effects which have already followed from quartering regular troops in this town; let our misfortunes instruct posterity to guard against these evils. Standing armies are sometimes (I would by no means say generally, much less universally) composed of persons who have rendered themselves unfit to live in civil society; who are equally indifferent to the glory of a George or a Louis; who, for the addition of one penny a day to their wages, would desert from the Christian cross, and fight under the crescent of the Turkish Sultan; from such men as these, what has not a state to fear? with such as these usurping Cæsar passed the Rubicon; with such as these he humbled mighty Rome, and forced

the mistress of the world to own a master in a traitor. These are the men whom sceptred robbers now employ to frustrate the designs of God, and render vain the bounties which his gracious hand pours indiscriminately upon his creatures."

By the sentiments of this latter paragraph, Hancock gave great offence to the British officers.

This discourse is in some parts more declamatory than the usual style of the revolution, which was commonly very foreign from the noisy eloquence of faction or the glitter of false magnificence. It derives, however, an interest, independent of the arts of composition, from the occasion upon which it was pronounced; by giving a new lustre to the reputation of Mr. Hancock, which, at this period, was injuriously diminished.

Conscious of the injurious influence of his popularity upon the designs of the British government, the governor of the province had endeavoured, by studied civilities, or by direct overtures, made, it was said, at the instigation of Lord North the prime minister, to procure his disaffection to the interests of the provincial party; and at length, by the malice of rivals, or artifice of the enemy, joined to the natural proneness of mankind to credit falsehood, many reports were soon spread detrimental to his fame.

The provincial assembly, that it might be more subservient to ministerial authority, when remote from the vigilance or commotions of a populous city, had been transferred to Cambridge. This measure produced a violent altercation with the governor, who, after several sessions, yielded to the importunities of the members for returning to Boston, with the provision that "the right of convening elsewhere should be expressly admitted." Upon this question Hancock voted with the majority, and in opposition to his friend and colleague, Samuel Adams, who strenuously opposed the proposition. The latter of these patriots being severe and sarcastic in debate, the former petulant and impatient of contradiction, a division of sentiment produced a transient intermission of their intercourse and friendship, with a fierce and defamatory collision amongst their adherents. But to those who reside in a free government it need scarcely be observed how little credit, on such occasions, is due to the malicious recriminations of party spirit.

Of these two popular leaders, the manners and appearance were in direct opposition, notwithstanding the conformity of their political principles, and their equal devotion to the liberties of their country. Mr. Samuel Adams was poor, and in his dress and manners simple

and unadorned. Hancock, on the other hand, was numbered with the richest individuals of his country. His equipage was magnificent, and such as at present is unknown in America. His apparel was sumptuously embroidered with gold, silver, and lace, and decked by such other ornaments as were fashionable amongst men of fortune of that day; he rode, especially upon public occasions, with six beautiful bays, and with servants in livery. He was graceful and prepossessing in manners, and very passionately addicted to what are called the elegant pleasures of life, to dancing, music, concerts, routs, assemblies, card parties, rich wines, social dinners, and festivities; all which the stern republican virtues of Mr. Adams regarded with indifference, if not with contempt.

He had been appointed, at an earlier period of his political career, speaker of the provincial assembly, and his election, in a written communication from the governor, was disapproved; he had been chosen in 1767 to the executive council, and experienced in that office the same honourable rejection. This disapprobation, which had been continued for many years, and had become, by repetition, essential to his fame, was suddenly suspended, and his nomination to the council was approved; which was regarded as no equivocal evidence of the depravation of his principles. To counteract the effect of this immunity, and such other invidious civilities of the governor, Mr. Hancock refused his seat amongst the counsellors, and pronounced soon afterwards the oration to which we have referred of the fifth of March. A declaration of his sentiments, so explicit, furnished him a victorious and honourable vindication, and produced an entire renovation of his popularity; whilst, on the other hand, he incurred from such measures the more immediate notice and hostility of the British government.

The battle of Lexington now announced the commencement of the revolutionary war. To gain possession of the persons of John Hancock and Samuel Adams, who lodged together in that village, was one of the motives of the expedition which led to this memorable conflict; but the design, though covered with great secrecy, was anticipated, and the devoted patriots escaped, upon the entrance of their habitation by the British troops. Thus, by the felicitous intervention of a moment, were rescued perhaps from the executioner those who were to contribute by their virtues to the revolution of empires, and to be handed down to posterity amongst the benefactors of mankind.

The defeat of the English in this battle was followed by the

governor's proclamation declaring the province in a state of rebellion; offering, at the same time, pardon to all whose penitence should recommend them to this act of grace, with the exception of Samuel Adams and John Hancock, whose guilt was deemed too flagitious for impunity. But so signal a denunciation, less the effect of good policy than of passion, advanced these popular chiefs upon the lists of fame; they were every where hailed with increased applauses, and not only by their illustrious merits, but by the dangers to which they were exposed, were endeared to the affections of their countrymen.

Hancock, in October 1774, was unanimously elected president of the provincial congress of Massachusetts. In the year 1775, he attained the meridian of his political distinction, and the highest honour that the confidence or the esteem of his compatriots could at that time bestow upon him, being made president of the continental congress. By his long experience in business, as moderator of two meetings, president and speaker of the provincial assemblies and conventions, during times of great turbulence and commotion, in his native state, he was eminently qualified, as well as by his natural dignity of manners, to preside in this great council of the nation.

When the chair of the presidency was offered him, he is said to have received the intelligence with embarrassment and hesitation. Having passed by regular gradation through the various offices of the state, it is not reasonable to suppose, that he was terrified on this occasion by precipitate elevation; and being already upon the lists of proscription, and living in commerce with dangers, that his emotions were produced by a heartless pusillanimity. Of Washington, it has likewise been remarked, that in receiving the chief command of the army, he discovered an extreme embarrassment of feeling.

Many persons were present in this congress of superior age to that of Mr. Hancock, and who, at the same time, were men of pre-eminent abilities. It was, besides, an occasion upon which composure in him who was invested with the principal honours had been little commendable; for rarely, in the vicissitudes of nations, has it happened that interests more sacred have been confided to the infirmity of human wisdom, or a more imposing spectacle been exhibited to human observation. Mr. Hancock being excluded from public discussions, and from the deliberations of committees, by the injunctions of his office of presidency, details are inadmissible in the illustration of his character. The common transactions of this assembly,

although referred to the most splendid period of his life, must, therefore, be passed without enumeration.

The Declaration of Independence, though signed by all the members of the congress, was accompanied, in its first publication, by the signature of Mr. Hancock alone; an accidental association, which, although it conferred no special title to praise beyond his colleagues, preoccupied the admiration of the public, and has contributed, in no small degree, to the extension of his fame.

In October of 1777, having for two years and a half sustained the duties of the presidency of congress, Mr. Hancock, wasted by unremitting application to business, and by the severity of the gout, which had rendered his health infirm and precarious, resigned his office; and amidst the felicitations of his countrymen, who vied with each other in demonstrations of respect, retired to his native province.

A convention, about this time, was appointed to frame a constitution for the state of Massachusetts, to which he was elected; and with his usual diligence and fidelity he assisted in their deliberations. On all occasions, he had favoured republican institutions; and, on the present, contended for the limitation of the executive authority.

He was elected, in 1780, governor of the commonwealth; the first who was appointed under the sanction of the new constitution, and derived his power from the suffrages of the people. He was annually continued in that office until the year 1785, when he resigned; and, after an intermission of two years, during which he had been succeeded by Mr. Bowdoin, was re-elected, and remained in the chair until the close of his life.

Hancock had been involved, during the early period of his career, in the perpetual turbulence of the revolution; nor was he permitted, in the conclusion of it, to enjoy the blandishments of tranquillity. The accumulation of debts during the war, and the necessity of a cumbrous imposition of taxes for their diminution, added to the usual depravation of morals or disqualification for civil occupations, consequent to a long suspension of the arts of industry, had filled the community with various griefs and necessities; and had diffused in the country a spirit of insubordination, which threatened for a while the subversion of all order and government.

The force of the faction actively opposed to the government, in New England, was estimated at twelve thousand persons. The majority of the people were, especially in Massachusetts, indisposed to the government; and many of them had devised its total subversion.

The first outrages were exercised against the officers of justice, who by acts of violence were restrained from the administration of their duties; and depredations were often made upon the property of individuals. The governor and the general assembly, having used many efforts of conciliation, by temporising expedients, which never fail to increase the insolence of a riotous multitude, finally employed against them four thousand of the militia; and the insurgents being destitute of a head to direct their operations, after a resistance altogether inadequate to the apprehensions they had excited, a few only being killed or wounded, and many made prisoners, were immediately dispersed. They maintained, nevertheless, a dangerous predominance in the state, and riot and disorder still subsisted until the year 1787, when, by the agency of Mr. Hancock, at that time governor, they were finally repressed. The principals, to the number of fourteen, having surrendered, were condemned by the supreme court to suffer capitally for their treason; but were released by the pardon of the governor. This act of clemency was attributed, by some of the more rigid republicans of those times, to a want of energy, nor did it pass without severe animadversion.

At this period of factious disorder, and especially during his competition for the office of governor, Hancock was assailed with great virulence and malice by antagonists who were neither impotent in genius nor inconsiderable in numbers. To ask why Hancock sustained these frequent persecutions in return for his eminent services, would be a vain disquisition. It is to ask, why, in all ages, those who have been most entitled to the veneration of the world, have been persecuted with the most unrelenting malevolence? why Aristides languished in exile, or Miltiades perished in a dungeon?

But the repression of disorder and faction in the state, towards the conclusion of his life, and the salutary diligence of his administration, appeased almost entirely the resentments and animosities which party had excited against him.

His agency in promoting the adoption of the federal constitution is mentioned amongst the objects which most recommend him to esteem amongst his contemporaries, and which entitle him to the regards of posterity.

An opposition to this system of government existed in many parts of the continent, and, in Massachusetts, the majority of the convention was supposed to disapprove it. Of this assembly, Hancock, who was believed to be averse to the confederation, had been elected president, but by sickness was detained from their deliberations

until the last week of the session. He then appeared and voted in its favour; and to his diligence in removing, by appropriate amendments, the apprehensions and objections of many in the opposition, added to his address and authority upon this occasion, is principally ascribed the adoption of the constitution in Massachusetts; and with no greater ornament could we desire to complete the monument of his fame, than by recording his instrumentality in the promotion of a measure so indispensable to the glory and prosperity of his country.

He did not, however, in favouring a confederate republic, vindicate with less scrupulous vigilance the dignity of the individual states. In a suit commenced against Massachusetts, by the court of the United States, in which he was summoned upon a writ, as governor, to answer the prosecution, he resisted the process, and maintained inviolate the sovereignty of the commonwealth. A recurrence of a similar collision of authority was, in consequence of this opposition, prevented by an amendment of the federal constitution.

This incident is enumerated amongst the latest events of his administration and of his life. He died suddenly, on the eighth of October, 1793, and in the fifty-fifth year of his age. During several days, his body lay in state at his dwelling, where great multitudes thronged to pay the last offices of their grief and affection. His obsequies were attended with great pomp and solemnity, and amidst the tears of his countrymen he was committed to the dust.

He had married, about twenty years before his death, Miss Quincy, daughter of an eminent magistrate of Boston, and one of the most ancient and distinguished families of New England. No children were left to inherit his fortune or perpetuate his name; his only son having died during his infancy.

Having now related the principal events of the life of Mr. Hancock, it may be permitted to add something more particular of his person and character. In stature he was above the middle size, of excellent proportion of limbs, of extreme benignity of countenance; possessing a flexible and harmonious voice, a manly and dignified aspect. By the improvement of these natural qualities from observation and extensive intercourse with the world, he had acquired a pleasing elocution with the most graceful and conciliating manners.

Of his talents it is a sufficient evidence, that, in the various stations to which his fortune had elevated him in the republic, he acquitted himself with an honourable distinction. His communications

to the general assembly, and his correspondence as president of congress, appear to us titles to no ordinary commendation.

As an orator, Mr. Hancock spoke without elaboration or pretension, but agreeably on all subjects. His harangues exhibit no common comprehension of things or powers of language, and were especially well suited to the dispositions of the times in which he lived.

He possessed, either from the dispositions of nature or habits of discipline, many excellent virtues. In the first place, it is no trivial commendation, at an age when the vanities of our nature are usually predominant, that, possessing a superfluity of wealth, and being, at the same time, exempt from parental authority, he betook himself to honourable and laborious pursuits, rather than to indulgence or dissipation; and that he did not grow arrogant or insolent, from the superiority of his advantages, entitles him also to no small degree of praise. In those countries in which titles or pedigree preoccupy the honours of the state, money is divested of a portion of its power over the mind; but, in republics, where it bestows an unrivalled pre-eminence, many excellent and great qualities of the heart are essential to counteract its malignant influence.

By his enemies it was remarked, not unfrequently, that his acts of liberality, his colloquial accomplishments, and other faculties of persuasion, were exerted wholly in the acquisition of popularity. That he courted this capricious divinity with great devotion, may perhaps be allowed; that he did it with success, admits of no doubt, for he is remembered as the most popular individual of Massachusetts, of his own or any other time. But Hancock was supported by no obliquity of morals, and no prostration of dignity or honour.

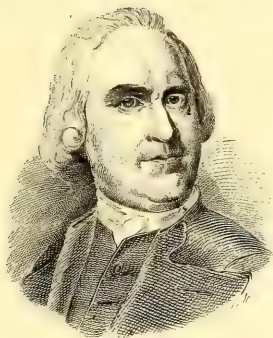
In 1775, it was proposed by the American officers, who carried on the siege of Boston, in order to procure the expulsion of the enemy, to bombard or destroy the town. The entire wealth of Mr. Hancock was exposed, by the execution of this enterprise, to ruin; but whilst he felt for the sufferings of others with a very generous compassion, he required that no regard to his personal advantages should obstruct the operations of the army. His private fortune, he observed, should, on no occasion, oppose an obstacle to the interests of his country.

Many illustrations might be given of Mr. Hancock's active and disinterested generosity, for there are, indeed, few persons either of ancient or modern times, whose biography would furnish more frequent and worthy examples. Charity was the common business of his life. Hundreds of families, from his private benevolence,

received their daily bread; and there is, perhaps, no individual mentioned in history, who has expended a more ample fortune in promoting the liberties of his country.

It is said he was very passionately devoted to social amusements. His habitation was every day crowded with guests, either of citizens or strangers, who were allured by the splendour of his hospitality; whom he entertained, however, with no riotous dissipation, but with a becoming elegance and propriety. He encountered, in the promotion of honest enterprises, many labours and dangers; and has left upon the records of his country, a testimony which the malevolence of time cannot destroy, that no seductions of pleasure, that not even the decrepitude of disease, withheld him from the service of the republic.

His exertions were employed, it should also be remembered, not only without intermission, but from the minutest to the most exalted duties of a statesman; from the humble debates of a town meeting, to the deliberations of a senate. And to have retained, for the most part, with a frank and generous disposition, with a familiarity of intercourse and continual exhibition, the evanescent affections of the multitude; and this, too, amidst the factious passions of a revolution, implies no ordinary dexterity and address. For what is there in moral or physical excellence that does not lose, by frequency, the admiration of mortals?—Genius is divested of her sublimity, Wit of her ornaments, and even Virtue is disrobed of her majesty by exposure to the capricious observation of man.



SAMUEL ADAMS.

SAMUEL ADAMS.

SAMUEL ADAMS, whose name as a delegate from Massachusetts, immediately follows that of Hancock on the Declaration of Independence, was, without doubt, one of the most remarkable among those men, whose lives we are recording; and we shall scarcely find a great event in the history of the revolution with which he was not in some way connected. He was born at Quincy, near Boston, on the twenty-second of September, 1722, and was descended from a family of much respectability, that had settled in New England at a very early period. His father was for many years a representative for the town of Boston, in the colonial house of assembly, to which he was annually elected till his death. He was long a justice of the peace and a selectman of the town; possessing considerable wealth, and much respected and esteemed.*

Samuel Adams acquired his preparatory knowledge at the well known Latin grammar school of Mr. Lovell, where he was remarkably attentive to his studies. His conduct was similar while at college; during the whole term he had to pay but one fine, and that for not attending morning prayers, in consequence of having overslept himself. By a close and steady application, he acquired much classical and scientific knowledge.

At an early age, he was admitted a student at Harvard University, and in 1740, and 1743, the respective degrees of bachelor and master of arts were conferred upon him. On the latter occasion, he proposed the following question for discussion, "Whether it be lawful to resist the supreme magistrate, if the commonwealth cannot be otherwise preserved?" He maintained the affirmative of the proposition, and thus evinced, at this early period of life, his attachment to the liberties of the people. While he was a student,

* It may be remarked, as an incentive to virtue in fathers, that almost every distinguished man of the revolution derived his being from parents remarkable for the purity of their character. The fact conveys a lesson to which no republican parent should be indifferent.

his father allowed him a regular and fixed stipend. Of this, he saved a sufficient sum to publish, at his own expense, a pamphlet, called "Englishmen's Rights."

His father intended him for the bar; but this determination, at the solicitation of his mother, was altered, and he was placed as an apprentice with Thomas Cushing, an eminent merchant. For this occupation he was ill adapted, and it received but a small share of his attention. The study of politics was his chief delight, and about this time he formed a club, each member of which agreed to furnish a political essay for a newspaper called the Independent Advertiser. These essays brought the writers into notice, who were called, in derision, "the whipping post club."

His limited knowledge of commerce rendered him incompetent to support himself by that pursuit. His father, however, gave him a considerable capital, with which he commenced business. He had not been long in trade when he lent one of his countrymen a large sum of money. This person, soon after, met with heavy calamities, which he represented to Mr. Adams, who never demanded the amount, although it was nearly half the value of his original stock. This and other losses soon consumed all he had.

At the age of twenty-five, his father died, and as he was the eldest son, the care of the family and management of the estate devolved upon him.

Notwithstanding this circumstance, however, he still was unable to resist the strong inclination for political affairs, which he had felt from his earliest youth; and instead of devoting himself to his business, occupied much of his time both in conversation and writing, on the political concerns of the day. He was strongly opposed to Governor Shirley, because he thought the union of so much civil and military power in one man, dangerous to the liberties of the province, but he was the friend of his successor Pownall, who assumed the popular side.

In 1763, the Massachusetts agent in London transmitted intelligence, that it was contemplated by the ministry, to "tax the colonies for the purpose of raising a revenue, which was to be placed at the disposal of the crown." In May of the following year, Mr. Adams being appointed by the citizens of Boston to draw up the instructions of their representatives, which it was then the custom to give in writing, he did so; and, what is the most material fact, it was the first public document which denied the supremacy of the British parliament, and their right to tax the colonists without their

own consent; and which contained a direct suggestion of the necessity of a united effort on the part of all the provinces.

In the year 1764, there was a private political club in Boston, in which decisive measures were originated, that gave a secret spring and impulse to the motions of the public body. Mr. Adams was one of the patriotic conclave. It was the determination of this little body to exercise all their influence in resisting every infringement of the rights of the colonies; and the Stamp Act was so flagrant a violation of them, that to suffer it quietly to be carried into effect, would establish a precedent, and encourage further proceedings of a similar nature. Mr. Adams was not averse to the manner in which the people evinced their determinate opposition, by destroying the stamped papers and office in Boston; but he highly disapproved the riots and disorders which followed, and personally aided the civil power to put a stop to them.

Indeed, even at this early period, so entirely had he become a public man, and discovered such a zealous, watchful, and unyielding regard for popular rights, that he excited the general attention of the patriotic party. He became a conspicuous favourite of the people, and the leader in all the popular proceedings of the day; and as a further proof of their confidence, he was elected, in the year 1765, a representative of the town of Boston, in the general court or house of assembly of Massachusetts. From that period, throughout the whole revolutionary struggle, he was one of the most unwearied, efficient, and disinterested supporters of American rights and independence.

Nor was it in his legislative capacity alone that he showed himself to be so. He wrote a number of able essays on the subject of the disputes between Great Britain and her colonies, and he suggested several plans for more effectually opposing her arbitrary designs. To him is the nation indebted for the idea of assembling the first congress at New York, which led, ten years after, to the continental congress, and finally to the union and confederation of the provinces. And to him also is to be attributed the design of the non-importation system, which he persuaded nearly all the merchants in the colony to adopt and adhere to.

As a delegate, he became conspicuous very soon after his admission into the house, and as it was then the practice to choose the clerk from among the members, he was early honoured with the election to that office. He was upon every committee, had a hand in writing or revising every report, a share in the management of

every political meeting, private or public, and a voice in all the measures that were proposed to counteract the tyrannical plans of the administration. The people soon found him to be one of the steadiest of their supporters, and the government was convinced that he was one of the most inveterate of their opponents.

When his character was known in England, and it was also understood that he was poor, the partisans of the ministry proposed that he should be quieted by a participation in some of the good things which they were enjoying. Governor Hutchinson, in answering the inquiry why he was not silenced in this manner, wrote with an expression of impatient vexation—"Such is the obstinacy and inflexible disposition of the man, that he never can be conciliated by any office or gift whatever."

It is reported, however, and generally believed, that the proposal was actually made to Mr. Adams; and that, in consequence, he was deprived of a stipend allowed to him by the representatives, as the clerk of the house, which, though small, was still a great part of his support. But yet, in this critical condition, he reprobated the offer, choosing rather to subsist by individual or common beneficence, or even perish, than sacrifice the cause of truth, and betray the liberty of the people.

In the year 1770, the feelings of the people were aroused by an event which will ever remain prominent in the annals of the revolution, as the first instance of bloodshed that occurred between the British troops and the colonists. In the life of Mr. Hancock, we have already alluded to it, and related the zealous part that he took in the subsequent proceedings of the indignant and outraged community. The participation of Mr. Adams in them was equally, perhaps still more, active.

The excitement produced by the rashness of the English soldiery in firing upon the mob which they had, by a long series of provocations, aroused to resentment, was intense and universal. The blood of their fellow citizens had been shed by the armed and hired myrmidons of what was deemed a tyranny, and the unwonted spectacle of the bleeding victims of lawless power fired the people to madness. The excitement was propitious for the purposes of the patriots of the day, and it was improved.

On the following morning, a public meeting of the citizens of Boston was called, and Mr. Adams addressed the assembly with that impressive eloquence which was so peculiar to himself. The people, on this occasion, chose a committee to wait upon the lieutenant

governor, to require that the troops be immediately withdrawn from the town. The mission, however, proved unsuccessful; and another resolution was immediately adopted, that a new committee be chosen to wait a second time upon Governor Hutchinson, for the purpose of conveying the sense of the meeting in a more peremptory manner. They waited on the lieutenant governor, and communicated this last vote of the town. In a speech of some length, Mr. Adams stated the danger of keeping the troops longer in the capital, fully proving the illegality of the act itself; and enumerated the fatal consequences that would ensue, if an immediate compliance with the vote should be refused. Lieutenant Governor Hutchinson, with his usual prevarication, replied by roundly asserting, that there was no illegality in the measure; and repeated, that the troops were not subject to his authority, but that he would direct the removal of the twenty-ninth regiment. Mr. Adams again rose. The importance of the subject, and the manner in which it was treated by the lieutenant governor, had now roused his feelings and excited all the ardour of his patriotism. With indignation strongly expressed in his countenance, and in a firm, resolute, and commanding manner, he replied, "That it was well known, that, acting as a governor of the province, he was, by its charter, the commander in chief of his majesty's military and naval forces, and as such, the troops were subject to his orders; if he had the power to remove one regiment, he had the power to remove both, and nothing short of this would satisfy the people; it was at his peril, therefore, if the vote of the town was not immediately complied with, and if it were longer delayed, he, alone, must be answerable for the fatal consequences that would ensue." This produced a momentary silence. It was now dark, and the people were waiting in anxious suspense for the report of their committee. A conference in whispers followed between Lieutenant Governor Hutchinson and Colonel Dalrymple. The former, finding himself so closely pressed, and the fallacy and absurdity of his arguments thus glaringly exposed, yielded up his positions, and gave his consent to the removal of both regiments; Colonel Dalrymple too pledged his word of honour, that he would begin his preparations in the morning, and that there should be no unnecessary delay, until the whole of both regiments were removed to the castle.

The formation of committees of correspondence between the different colonies, has always been looked upon as one of the leading and most important causes of the revolution, at least of that union of feeling and action which gave rise to it, and insured eventual

success. Virginia asserts the design to have first arisen with her truly great statesman, Richard Henry Lee; while Massachusetts, with equal confidence, sees its origin in the efforts and intelligence of Samuel Adams. Perhaps—and indeed private correspondence of both, which has come to light, seems to establish the fact—the idea may have arisen with each of these patriotic statesmen, who had long been reflecting on the aspect of things and probable events, and anxiously considering the course which their country might be called on to pursue. It was adopted in Massachusetts, at a town-meeting held in Boston, at the close of the year 1772, where it was suggested by Mr. Adams.

The rapid increase of Mr. Adams' popularity and influence rendered it every day more desirable to the royal party, that he should be detached from the popular cause. Hutchinson knew him too well to make the attempt; but Governor Gage was empowered to try the experiment. He sent to him a confidential and verbal message by Colonel Fenton, who waited upon Mr. Adams, and stated the object of his visit. He said, that he was authorized from Governor Gage to assure him, that he had been empowered to confer upon him such benefits as would be satisfactory, upon the condition, that he would engage to cease in his opposition to the measures of government. He also observed, that it was the advice of Governor Gage to him, not to incur the further displeasure of his majesty; that his conduct had been such as made him liable to the penalties of an act of Henry VIII. by which persons could be sent to England for trial of treason, or misprison of treason, at the discretion of a governor of a province; but by changing his political course, he would not only receive great personal advantages, but would thereby make his peace with the king. Mr. Adams listened with apparent interest to this recital. He asked Colonel Fenton if he would truly deliver his reply, as it should be given. After some hesitation he assented. Mr. Adams required his word of honour, which he pledged. Then rising from his chair, and assuming a determined manner, he replied, "I trust I have long since made MY PEACE WITH THE KING OF KINGS. No personal consideration shall induce me to abandon the righteous cause of my country. Tell Governor Gage, IT IS THE ADVICE OF SAMUEL ADAMS TO HIM, no longer to insult the feelings of an exasperated people."

Irritated at this failure of his plans, Governor Gage, in a moment of indignation, issued the celebrated proclamation, which, had nothing else done it, would have immortalized those against whom it

was directed, while it only bound them more firmly to the cause they had adopted, and rallied all around them as devoted champions. "I do hereby," he said, "in his majesty's name, offer and promise his most gracious pardon to all persons who shall forthwith lay down their arms, and return to the duties of peaceable subjects, excepting only from the benefit of such pardon, SAMUEL ADAMS and JOHN HANCOCK, whose offences are of too flagitious a nature to admit of any other consideration but that of condign punishment."

The persecutions of the royalists only strengthened the efforts of the patriots. They encouraged the ardour of the resolute, and they gave spirit and determination to the timid. Whenever Mr. Adams perceived a disposition to yield, or to adopt measures unsuited to the emergency, he exerted all his influence and talents, and usually succeeded in his views. When he, on one occasion, found the house of assembly less resolute than usual, he thus addressed his friend, Mr. Warren, of Plymouth: "Do you keep the committee in play, and I will go and make a caucus by the time the evening arrives, and do you meet me." Mr. Adams secured a meeting of about five principal members of the house at the time specified, and repeated his endeavours for the second and third nights, when the number amounted to more than thirty. The friends of the administration knew nothing of the matter. The popular leaders took the sense of the members in a private way, and found that they would be able to carry their scheme by a sufficient majority. They had their whole plan completed, prepared their resolutions, and then determined to bring the business forward; but before they commenced, the door-keeper was ordered to let no person in, or suffer any one to depart. The subjects for discussion were then introduced by Mr. Adams, with his usual eloquence on such great occasions. He was chairman of the committee, and reported resolutions, for the appointment of delegates to a general congress to be convened at Philadelphia, to consult on the general safety of America. This report was received with surprise and astonishment by the administration party. Such was the apprehension of some, that they were apparently desirous to desert the question. The door-keeper seemed uneasy at his charge, and wavering with regard to the performance of the duty assigned to him. At this critical juncture, Mr. Adams relieved him, by taking the key and keeping it himself. The resolutions were passed; five delegates, consisting of Samuel Adams, Thomas Cushing, Robert Treat Paine, John Adams, and James Bowdoin, were appointed; the expense was estimated, and funds were voted for

the payment. Before the business was finally closed, a member made a plea of indisposition, and was allowed to leave the house. This person went directly to the governor, and informed him of their high-handed proceedings. The governor immediately sent his secretary to dissolve the assembly, who found the door locked. He demanded entrance, but was answered, that his desire could not be complied with, until some important business, then before the house, was concluded. Finding every method to gain admission ineffectual, he read the order on the stairs for an immediate dissolution of the assembly. The order, however, was disregarded by the house. They continued their deliberations, passed all their intended measures, and then obeyed the mandate for dissolution.

Mr. Adams took his seat in the first continental congress at Philadelphia, on the fifth of September, 1774, and continued a member of that body until the year 1781. To trace him through the various important duties which he performed in that long interval, would be to write the history of congress. Assuming, from his unwearied zeal and firm tone of character, much of the same prominence which he had displayed at home, he became a mover, or important coadjutor, in almost all the business of the time. It is incredible, indeed, if the journals of congress be any guide, how various and how numerous were his services, and with what unabated ardour he continued to bestow them to the last. He reminds us of the indefatigable Puritans of early days, and indeed in many traits of character he strongly resembled them, who could devote an attention and length of time to the pursuit of their favourite schemes, which seems beyond probability to the less enthusiastic tempers of the present age.

His letters at this period, especially those to his friend Richard Henry Lee, exhibit the iron in his character at its white heat. He anticipated the struggle as necessary for the high interests of liberty and the country, and therefore desired it. He was one of those who saw, very early, that, "after all, we must fight"—and having come to that conclusion, there was no citizen more prepared for the extremity, or who would have been more reluctant to enter into any kind of compromise. After he had received warning at Lexington, in the night of the eighteenth of April, of the intended British expedition, as he proceeded to make his escape through the fields with some friends, soon after the dawn of day, he exclaimed, "this is a fine day!" "Very pleasant, indeed," answered one of his companions, supposing he alluded to the beauty of the sky and at

mosphere—"I mean," he replied, "this day is a glorious day for America!"

Impressed with such feelings, and acting under them, he soon perceived the necessity of breaking off all connection with the mother country, and determining resolutely to support the principles he had adopted. "I am perfectly satisfied," he says, in a letter written in April 1776, from Philadelphia to a friend in Massachusetts—"I am perfectly satisfied of the necessity of a public and explicit declaration of independence. I cannot conceive what good reason can be assigned against it. Will it widen the breach? This would be a strange question after we have raised armies and fought battles with the British troops;—set up an American navy, permitted the inhabitants of these colonies to fit out armed vessels to capture the ships, &c. belonging to any of the inhabitants of Great Britain; declaring them the enemies of the United Colonies, and torn into shivers their acts of trade, by allowing commerce, subject to regulations to be made by ourselves, with the people of all countries, except such as are subject to the British king. It cannot, surely, after all this, be imagined, that we consider ourselves, or mean to be considered by others, in any other state than that of independence. But moderate whigs are disgusted with our mentioning the word! Sensible Tories are better politicians. They know, that no foreign power can consistently yield comfort to rebels, or enter into any kind of treaty with these colonies, till they declare themselves free and independent. They are in hopes, by our protracting this decisive step, we shall grow weary of the war, and that for want of foreign connections and assistance, we shall be driven to the necessity of acknowledging the tyrant, and submitting to the tyranny. These are the hopes and expectations of the Tories, while moderate gentlemen are flattering themselves with the prospect of reconciliation, when the commissioners that are talked of shall arrive. A mere amusement, indeed! What terms of reconciliation are we to expect from them, that will be acceptable to the people of America? Will the king of Great Britain empower his commissioners even to promise the repeal of all, or any of his obnoxious and oppressive acts? Can he do it? or if he could, has he even yet discovered a disposition which evinced the least degree of that princely virtue—clemency?"

In the year that succeeded the Declaration of Independence, however, the prospects of the country became exceedingly gloomy, and even the boldest were sometimes led to fear they had gone farther than their resources authorized them to do. It was at this critical

juncture, after congress, whose members were reduced to twenty-eight individuals, had resolved to adjourn to Lancaster, that some of the leading gentlemen accidentally met in company with each other. A conversation in mutual confidence ensued. Mr. Adams, who was one of the number, was cheerful and undismayed at the aspect of affairs, while the countenances of his friends were strongly marked with the desponding feelings of their hearts. The conversation naturally turned upon the subject which most engaged their thoughts. Each took occasion to express his opinions on the situation of the public cause, and all were gloomy and sad. Mr. Adams listened in silence till they had finished. He then said, "Gentlemen, your spirits appear to be heavily oppressed with our public calamities. I hope you do not despair of our final success?" It was answered, "That the chance was desperate." Mr. Adams replied, "If this be our language, it is so, indeed. If we wear long faces, they will become fashionable. The people take their tone from ours, and if we despair, can it be expected that they will continue their efforts in what we conceive to be a hopeless cause? Let us banish such feelings, and show a spirit that will keep alive the confidence of the people, rather than damp their courage. Better tidings will soon arrive. Our cause is just and righteous, and we shall never be abandoned by Heaven while we show ourselves worthy of its aid and protection." His words were almost prophetic. Within a few days, the news arrived of the glorious success of our cause at Saratoga, which gave brightness to our prospects and confidence to our hopes.

The year 1778 produced the attempt on the part of the British government, to divide or distract the colonies by their pretended offers of conciliation. Their drift was immediately perceived by Mr. Adams, and he immediately adopted measures to arouse the congress and the country to a sense of the danger. The exertions made to defeat, in anticipation, this effort of the enemy to distract, deceive, and divide the country, were successful, and the cause was saved from one of the most imminent dangers of the contest.

In the year 1781, with the prospects of peace, Mr. Adams began to turn his attention to the objects which ought to be secured by the United States, on an event to attain which she had suffered so much and so long; and with all the peculiar tenaciousness of his character, he determined that those privileges and rights should be explicitly secured, on which the respective interests of various portions of the country depended. He saw clearly, too, the necessity of entering upon the world with those broad views of policy which would

enable us to maintain our rights. His correspondence on this subject, particularly his letter to Mr. M'Kean, manifests the enlarged views of the statesman, and the fervour of the patriot. "Are we soon to have peace?" he writes, in the summer of 1781, to Mr. M'Kean, at that time president of congress; "however desirable this may be, we must not wish for it on any terms but such as shall be honourable and safe to our country. Let us not disgrace ourselves by giving just occasion for it to be said hereafter, that we finished this great contest with an inglorious accommodation."

After Mr. Adams retired from congress, he continued to receive from his native state, new proofs of her sense of his services, in his appointment to offices of the highest trust. He had already been a member of the convention which formed her constitution, being on the committee which draughted it, and on that which framed the address with which it was presented to the people. He afterwards became, successively, a member of the senate, president of that body, and a member of the convention assembled for the ratification of the federal constitution. To this instrument, in its reported form, he had some objections; the principal of which were to those parts that lessened, as he conceived, injudiciously, the powers of the separate states; and he prepared several amendments, that met with the approbation of the convention, and some of which were afterwards incorporated in the constitution itself. His particular speeches have not, unfortunately, been preserved, or we should have had the valuable comment of a strong mind, improved by great experience, on questions deeply interesting to us. His letters, however, occasionally contain remarks illustrating his sentiments, and are well worthy the attention of politicians in our own times.

"I hope the federal congress is vested with powers, adequate to all the great purposes of the federal union; and, if they have such adequate powers, no true and understanding federalist would consent, that they should be trusted with more; for more would discover the folly of the people in their wanton grant of power; because it might, and considering the disposition of the human mind, without doubt would, be wantonly extended to their injury and ruin. The powers vested in government by the people, the only just source of such powers, ought to be critically defined, and well understood; lest, by a misconstruction of ambiguous expressions, and by interested judges too, more power might be assumed by the government than the people ever intended they should possess. Few men are contented with less power than they have a right to exercise: the

ambition of the human heart grasps at more : this is evinced by the experience of all ages."

Mr. Adams was destined to receive still further proofs of the attachment of his fellow citizens, by being successively raised to the highest honors they could bestow, as lieutenant governor, and governor of the state. In these high offices he preserved and displayed the same manly and firm principles which he had always expressed; and he especially called to the attention of the people, the careful preservation of those mutual rights which they had yielded and retained at the formation of the federal government. "I shall presently be called upon," he observes, in one of his inaugural addresses, "as it is enjoined by the constitution, to make a declaration upon oath, and I shall do it with cheerfulness, because the injunction accords with my own judgment and conscience, 'that the commonwealth of Massachusetts, is and of right ought to be a free, sovereign, and independent state.' I shall also be called upon, to make another declaration with the same solemnity, 'to support the constitution of the United States.' I see the consistency of this, for it cannot but have been intended that these constitutions should mutually aid and support each other. It is my humble opinion, that, while the commonwealth of Massachusetts maintains her own just authority, weight, and dignity, she will be among the firmest pillars of the federal union. May the administration of the federal government, and those of the several states of the union, be guided by the unerring finger of Heaven! Each of them, and all of them, united, will then, if the people are wise, be as prosperous as the wisdom of human institutions, and the circumstances of human society will admit."

The limits of this sketch will not permit us to enter into a detail of the public measures of Mr. Adams, while he presided over the government of Massachusetts, nor to lay before the reader, those of his public writings which would throw light on his peculiar sentiments, as well as on the general history of the country. He continued to serve her with undiminished zeal; and it was not until age and bodily infirmities rendered him unfit for service, that he retired to a private life. This retirement, however, he did not long enjoy, but within a few years passed quietly to his grave. He expired on the third of October, 1803, in the eighty-second year of his age.

Of the peculiar character and dispositions of Mr. Adams, the reader will have formed a tolerably correct opinion from what has been recorded in the preceding pages; and it only remains for us briefly to sum up that of which he has already a general idea. In

person he was of the middle size, with a countenance full of expression, and showing the remarkable firmness of his character; in manners and deportment, he was sincere and unaffected; in conversation, pleasing and instructive; and in friendship, steadfast and affectionate. As a writer, he was indefatigable when he thought his literary efforts could tend to promote his liberal and patriotic views; and although most of his productions have suffered that oblivion, to which the best efforts of temporary politics are generally destined, those which remain, or of which a knowledge is yet preserved, give abundant proof of the strength and fervour of his diction, the soundness of his politics, the warmth of his heart, and the piety and sincerity of his devotion. As an orator, he was peculiarly fitted for the times and circumstances on which he had fallen. His language was pure, concise, and impressive; he was more logical than figurative; and his arguments were addressed rather to the understanding than the feelings: yet these he could often deeply interest, when the importance and dignity of his subject led him to give free vent to the enthusiasm and patriotic ardour, of which his heart was always full; and if we are to judge by the fairest of all tests, the effect upon his hearers, few speakers of ancient or modern times, could be named as superior to him. As a statesman, the great trait in the character of Mr. Adams, was the unyielding firmness with which he pursued the course which his judgment had determined to be the correct one. He possessed an energy of will, that never faltered. Every part of his character conduced to this determination. His private habits, which were simple, frugal, and unostentatious, led him to despise the luxury and parade affected by the crown officers; his religious tenets, which made him loathe the very name of the English church, preserved in his mind the memory of ancient persecutions, as vividly as if they had happened yesterday, and as anxiously as if they might be repeated to-morrow; his detestation of royalty, and privileged classes, which no man could have felt more deeply—all these circumstances stimulated him to persevere in a course, which he conscientiously believed it to be his duty to pursue, for the welfare of his country. The motives by which he was actuated, were not a sudden ebullition of temper, nor a transient impulse of resentment; but they were deliberate, methodical, and unyielding. There was no pause, no despondency; every day and every hour were employed in some contribution towards the main design; if not in action, in writing; if not with the pen, in conversation; if not in talking, in meditation. The means

he advised were persuasion, petition, remonstrance, resolutions; and, when all failed, defiance and extermination, sooner than submission. His measures for redress were all legitimate; and where the extremity of the case, as in the destruction of the tea, absolutely required an irregularity, a vigour beyond the law, he was desirous it might be redeemed by the discipline, good order, and scrupulous integrity, with which it should be effected.

The very faults of his character tended, in some degree, to render his services more useful, by converging his exertions to one point, and preventing their being weakened by indulgence or liberality towards different opinions. There was some tinge of bigotry and narrowness both in his religion and politics. He was a strict Calvinist; and probably, no individual of his day had so much of the feelings of the ancient Puritans as he possessed. In politics, he was so jealous of delegated power, that he would not have given our constitutions inherent force enough for their own preservation. He attached an exclusive value to the habits and principles in which he had been educated, and wished to adjust wide concerns too closely after a particular model. One of his colleagues, who knew him well, and estimated him highly, described him, with good-natured exaggeration, in the following manner: "Samuel Adams would have the state of Massachusetts govern the union, the town of Boston govern Massachusetts, and that he should govern the town of Boston, and then the whole would not be intentionally ill-governed."

With this somewhat austere spirit, however, there was nothing ferocious, nor gloomy, nor arrogant in his demeanour. His aspect was mild, dignified, and gentlemanly. In his own state, or in the congress of the union, he was always the advocate of the strongest measures; and in the darkest hour, he never wavered nor desponded. He engaged in the cause with all the zeal of a reformer, the confidence of an enthusiast, and the cheerfulness of a voluntary martyr. It was not by brilliancy of talents, nor profoundness of learning, that he rendered such essential service to the cause of the revolution; but by his resolute decision, his unceasing watchfulness, and his heroic perseverance. In addition to these qualities, his efforts were consecrated by his entire superiority to pecuniary considerations; he, like most of his colleagues, proved the nobleness of the cause, by the virtue of his conduct: and Samuel Adams, after being so many years in the public service, and having filled so many eminent stations, must have been buried at the public expense, if the afflictive death of an only son had not remedied this honourable poverty.



THE BIRTH PLACES OF JOHN AND JOHN QUINCY ADAMS
at Quincy, Mass.

JOHN ADAMS.

JOHN ADAMS was engaged, during the greater part of his life, so actively in public affairs, that the incidents of his career are inseparably blended with the history of the colony which claimed him for her son, and of the nation which honoured him as a father. He was fourth in descent from Henry Adams, who, according to the quaint inscription on his tomb at Quincy, "Took his flight from the dragon Persecution in Devonshire, England, and alighted with eight sons near Mount Wollaston;" and he was also descended from John Alden, one of that pilgrim-band who first landed on Plymouth Rock, seeking an asylum for religious and civil freedom among the forests of the new world.

John Adams was born at Quincy, near Boston, on the nineteenth of October, (O. S.,) 1735. His worthy father very soon perceiving, in his boy, a strong love of reading and of knowledge, and marks of great strength and activity of intellect, took proper care to give him every attainable advantage of education.

His boyish studies were prosecuted in Braintree. In 1751, he was admitted a member of Harvard College at Cambridge, where he was regularly graduated, four years afterwards. Of his collegiate reputation little is known at present, most of his classmates having preceded him to the grave; but one of them, the pious and learned Dr. Hemmenway, often spoke of the honesty, openness, and decision of character that distinguished him, of which he told many characteristic anecdotes.

After completing his academic course, he repaired to Worcester for the purpose of studying the law, and according to the established usage of New England, began at once to support himself by his own exertions. He taught in the grammar school of that town, and pursued his legal studies at the same time under the direction of Mr Putnam, a barrister of eminence.

It was certainly as early in his life as this residence at Worcester, when his thoughts began to turn on general politics, and the

prospects of his country occupied his attention. A letter that he wrote very soon after leaving college has been preserved; and evinces so remarkable a forecast, and such a comprehensive range of speculation, that it deserves an attentive perusal. It was dated at Worcester, on the twelfth of October, 1755, and is in these words: "Soon after the reformation, a few people came over into this new world for conscience sake. Perhaps this apparently trivial incident may transfer the great seat of empire into America. It looks likely to me if we can remove the turbulent Gallics, our people, according to the exactest computations, will in another century become more numerous than England herself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain the mastery of the seas; and then the united force of all Europe will not be able to subdue us. The only way to keep us from setting up for ourselves, is to disunite us. *Divide et impera*. Keep us in distinct colonies, and then some great men in each colony desiring the monarchy of the whole, they will destroy each other's influence, and keep the country in equilibrio."

In 1758 he was admitted to the bar, and commenced practice in Braintree; but his first considerable effort, which was encouraging and successful, was made at Plymouth, in a jury trial and a criminal cause.

In 1761, Mr. Adams was admitted to the rank of a barrister, and continued to advance in professional reputation. In Boston and its vicinity, the attention of all men possessed of public spirit and enlarged views was, however, now very much engrossed by the contentions between the provincial assembly and the royal governor, which assumed a shape and importance more alarming than before.

The year 1764 was attended with the excitement produced by the act imposing duties of export and import, and the announcement of an intention to impose stamp duties upon the colonies.

Mr. Adams was occupied, during a part of this year of alarm and ferment, in gentler cares than political controversy, for it was at this period that he was united to Abigail, the daughter of the Rev. William Smith, his faithful and most amiable partner during fifty-four years of conjugal union. To this accomplished and excellent lady he owed much of the felicity of his life; with true sympathy in his feelings she unrepiningly submitted to the frequent separations which his devotion to the general cause occasioned; and he fully appreciated her worth, and could never, in the heaviest trials of his life, speak of her without emotions of tenderness and gratitude, that

would suffuse his eyes and impede his utterance. There has been preserved a letter written by her to a friend, at one of the most gloomy periods of the war, in which she thus expresses the noble patriotism which she cherished in common with her husband. "Heaven is our witness, that we do not rejoice in the effusion of blood or the carnage of the human species; but having been forced to draw the sword, we are determined never to sheathe it slaves of Britain. Our cause, sir, is, I trust, the cause of truth and justice, and will finally prevail, though the combined force of earth and hell shall rise against it. To this cause I have sacrificed much of my own personal happiness, by giving up to the councils of America one of my nearest connections, and living for more than three years in a state of widowhood."

In 1764, a town meeting at Boston suggested the plan of a convention of the colonies, but nothing more was at that time done towards such a measure. Petitions and remonstrances were sent to England, and great confidence was entertained that the parliament would be convinced, as the colonists were, that the power of taxing resided constitutionally in the colonial assembly, and no where else. In these fond hopes they were however destined to be disappointed; for in February 1765, the stamp act, proposed at a former session of parliament, was passed.

Mr. Adams now appeared before the public by publishing his "Essay on the Canon and Feudal Law," a performance of very remarkable power and eloquence, in which he made a bold and undisguised appeal to the spirit of the people, against the attempt to establish the unlimited control of the parliament.

This composition, written in a style of uncommon nervousness and vivacity, is an argument founded on the assertion that monarchy, in the earliest and most ignorant ages, was the universal form of government; but as the people became more enlightened, they in the same proportion became more free: the love of power has been often the cause of slavery, but sometimes the cause of freedom. "If it is this principle, that has always prompted the princes and nobles of the earth, by every species of fraud and violence, to shake off all the limitations of their power; it is the same that has always stimulated the common people to aspire at independency, and to endeavour at confining the power of the great within the limits of equity and reason."

The publication of this admirable work brought him rapidly forward into general notice, and in the same year he was associated

with Otis and other master spirits in appearing before the governor and council, and arguing there that the courts should administer justice without stamped paper.

He was not a member of the congress which met at New York, in October 1765, to consult and prepare new petitions, and adjourn. But he had now become a public man, and was associated with Robert Treat Paine, Otis, Quincy, Samuel Adams, and other distinguished patriots, all older than himself, in every endeavour to counteract the schemes of the ministry.

Under the influence of such men, the general assembly would probably have been impelled into very bold and perhaps very rash measures; if the news of George Greenville's dismissal, and the repeal of the stamp act, had not for the time removed the necessity of immediate decision.

In 1766, he removed his residence to the town of Boston, still continuing his attendance on the neighbouring circuits, and not unfrequently called to remote parts of the province.

The repeal of the stamp act, and the accession of Lord Chatham to the ministry, would perhaps have quieted the discontents in Massachusetts; had it not been for the declaratory act that parliament had been induced by a false pride to attach to the repeal, claiming the right to tax the colonies, although for the present they chose to postpone its exercise.

There were, however, abundant sources of controversy between Governor Bernard and the people, among which the introduction of two regiments of king's troops into the town of Boston, was not the least irritating.

Mr. Adams persevered with his friends Warren, Otis, Thatcher and others, as well as his distinguished namesake Samuel Adams, in their labours, such as he had proposed in his *Essay on the Canon and Feudal Law*. In the year 1768 the importance of his services, and the influence of his writings had become so well known and appreciated, as to induce Governor Bernard to think him worth buying over; and to make the same attempt with him, which we have already seen was tried without success on Hancock and Samuel Adams. For this purpose his intimate personal friend Sewall, the recently appointed attorney general, was commissioned by the governor to offer him the appointment of advocate general in the court of admiralty, a very lucrative office at that period. He was then but in his thirty-third year, with an increasing family to support; the office tendered to his acceptance would have been a promotion

in the line of his profession, would have insured him a considerable income, and required no direct abandonment of his friends or his principles; but he could not bear to be put in any sort of trammels, he considered the offer as merely insidious, and peremptorily declined it.

He was chosen by the citizens of Boston, in 1769, one of a committee, which was appointed, according to a custom of the time, before alluded to, to prepare instructions to their representatives; and the instructions drawn up accordingly, were full of opposition to the measures of the governor, and particularly were aimed against allowing the troops to remain in the town.

The soldiers were not removed, however, and a series of squabbles between them and the towns-people led finally to the bloody affray, on the fifth of March, 1770, commonly designated as "the massacre." The principal circumstances which caused and attended this event, have been already described with sufficient minuteness in a previous biography.

In consequence of the spirited and determined remonstrance of the committee appointed by the citizens of Boston, by their chairman, the Aristides of the revolution, Samuel Adams,—not only were the soldiers removed from the town, but the supremacy of the civil power was maintained by the arrest, indictment, and trial of the actual offenders. Mr. Adams was applied to on behalf of Captain Preston, the officer who was charged with giving the fatal order to fire upon the people, and the private soldiers who were indicted with him, to undertake their defence. It was a touchstone applied to his firmness and his professional pride. The people were still clamorous against the soldiers, and he was a man of the people, living for them and among them. The governor's party anxiously desired to screen the offenders from punishment; would not a lawyer appearing for such a defence, be suspected of deserting the popular cause? Such considerations might have deterred a man of less moral courage, but Mr. Adams was above their influence. He could afford to perform a professional duty without endangering his political standing. Two years only had elapsed since he rejected the offer of a lucrative and distinguished governmental appointment; he could not be suspected, after that, of wishing to truckle to the men in power. The main point being gained by the removal of the troops out of the town, men of liberal feelings could have no desire to visit the sins of the commanders upon the ignorant soldiers, by any vindictive exercise of the civil power. The great offence had

been the presence of the military in the town, for which the authorities alone were answerable; that soldiers, being there, should be dissolute, insolent and quarrelsome, was to be expected. Mr. Adams, therefore, thwarted no secret wishes of his own, in contributing to the defence of the accused. He conducted it with the zeal and vigour that marked all his actions, and with an ability and eloquence that elicited universal applause.

Notwithstanding the exasperation of feeling among the townspeople, from whom the jury was to be taken, Captain Preston was acquitted, on account of a want of positive evidence to criminate him as the author of the mischief; and two only of the soldiers, upon whom the act of firing, after much provocation, was proved, were convicted of manslaughter, and praying the benefit of clergy, were branded with a hot iron and dismissed.

That Mr. Adams lost no favour with his fellow-citizens by engaging in this trial, is proved by the circumstance of his being, in the same year, elected one of the representatives in the general assembly.

The session of the assembly which ensued was marked by a pertinacious contest between the house and the acting governor, Hutchinson, on the subject of holding the "General Court," as it was called, in Cambridge instead of Boston. The assembly insisted on returning to Boston, from which the sessions had been removed by Governor Bernard; and refused to proceed in any business until their return to the ancient place of meeting should be agreed to. The lieutenant governor pleaded his instructions; but was attacked irresistibly on that ground, with the argument that no instructions from England could countervail the charter. He hinted at his power as commander-in-chief, but then laid himself open to the whole odium of an arbitrary act. Finally, he refused to adjourn to Boston, "without permission of his majesty's ministers." A committee of leading men, the elder and younger Adams, Hancock and Hawley, were appointed to prepare a reply to this undisguised avowal of subserviency to ministerial views. The reply is elaborate and eloquent, and seems to bear the impress of the same mind from which the "Essay on the Canon and Feudal Law" had proceeded. The conclusion is a very intelligible warning of what the ministry had to expect if they should persevere in their oppressive conduct.

"We are obliged, at this time, to struggle, with all the powers the constitution has furnished us, in defence of our rights; to prevent the most valuable of our liberties from being wrested from us

by the subtle machinations and daring encroachments of wicked ministers. We have seen, of late, innumerable encroachments on our charter; courts of admiralty extended from the high seas, where, by the compact in the charter they are confined, to numberless important causes upon land; multitudes of civil officers, the appointment of whom is, by charter, confined to the governor and council, sent here from abroad by the ministry; a revenue, not granted by us, but torn from us; armies stationed here without our consent; and the streets of our metropolis crimsoned with the blood of our fellow-subjects. These, and other grievances and cruelties, too many to be here enumerated, and too melancholy to *be much longer borne* by this injured people, we have seen brought upon us, by the devices of ministers of state. And we have, of late, seen and heard of *instructions* to governors, which threaten to destroy all the remaining privileges of our charter. Should these struggles of the house prove unfortunate and ineffectual, this province will submit, with pious resignation, to the will of Providence; but it would be a kind of suicide, of which we have the utmost horror, to be instrumental in our own servitude."

The lieutenant governor's office was certainly no bed of roses at this time; he and his coadjutors were overmatched in talent, resolution and management, by "Adams and the rest;" and the perturbation of his mind was excessive. At times he advised the use of force, then recommended a course of cunning expedients, which he designated as "Machiavelian policy;" imputed to the colonists a determination to have a lord lieutenant and an American parliament; and suggested a variety of projects for curbing their spirit.

A new grievance appeared in the dismissal of the troops at "the castle," who were under the control and pay of the province, and the transfer of that fortress to the custody of the king's forces. This was an evil that admitted of no present remedy, but it stimulated to more active preparations for resistance, and mainly induced the appointment of a committee, of which Mr. Adams was a member, to correspond with the agents in England, with the speakers of assemblies in other colonies, and with committees chosen for a similar purpose.

In the following year, 1771, Mr. Hutchinson received the appointment of governor of Massachusetts, and made some efforts towards conciliation; the Duke of Grafton had resigned, and Lord North had rescinded all the obnoxious duties except that on tea. A comparative calm ensued for a short season, and the letters from Franklin and other Americans in England, held out encouragement to

hope for the removal of all causes of complaint. The same obstinate dispute as to the place of holding the sessions of the assembly continued, and little public business was transacted in consequence. But in 1772, the governor gave up this point, and ordered the long-desired return to the town house at Boston.

He had accepted a provision for the payment of his salary by the crown, instead of the province, and nothing could have given greater offence. There was also a project, afterwards executed, of providing in the same way for the salaries of the judges; and upon these two grievances a large town meeting was held, early in 1772, at Boston, and very spirited resolutions adopted.

This ministerial regulation for paying the salaries of the judges, which rendered them wholly dependent on the crown, was the occasion of a discussion in the public papers, between William Brattle, senior member of the council, on the one side, and Mr. John Adams on the other; written, on the part of Mr. Adams, according to the history of the period, "with great learning and ability;" and had a happy effect in enlightening the public mind on a question of very great importance.

When the general court met in January, 1773, the new governor made an elaborate speech to them in support of the supremacy of parliament, and threw out, as the two houses thought, a challenge to answer him. This they did forthwith, but he replied in the same strain, and put forth so ingenious an argument, that their committee thought it necessary to invoke the aid of Mr. John Adams, who was not then a member, in preparing a rejoinder. A very eloquent and argumentative disquisition was immediately drawn up by him for their use, which they adopted at once without alteration; and so powerful was it considered by Dr. Franklin, as an exposition of the claims and wrongs of the colonies, that he caused it to be republished in England, and distributed there.

Very shortly after this circumstance he was elected a member of the assembly, and being placed by their vote on the list of councillors, the governor erased his name, by a vindictive exercise of a right incident to his office, but never exercised unless as an expression of strong dislike and hostility.

Early in 1774, Governor Hutchinson resigned his office, and departed for England. And at the same time his successor, and the intelligence of the act of parliament closing the port of Boston, were received, the one with outward civility but universal distrust, the other with unbounded indignation and alarm.

The inhabitants of Boston were called together, to consider this new and unexampled aggression. It was there voted to make application to the other colonies to refuse all importations from Great Britain, and withhold all commercial intercourse, as the most probable and effectual mode to procure the repeal of this oppressive law. One of the citizens was despatched to New York and Philadelphia, for the purpose of ascertaining the views of the people at those places, and in the colonies farther south. A committee, comprising Samuel Adams, Dr. Warren, afterwards General Warren, the hero and martyr of Bunker's hill, with John Adams and others of the same high character, was appointed to consider what further measures ought to be adopted.

Mr. Adams being again a member of assembly, was put on the list for the council, but Governor Gage knew his character well from the report of his past conduct, and erased his name, as Hutchinson had done before.

The governor obliged the general court to meet at Salem, instead of Boston, where they proceeded, after a very civil address to him, to ask for a day of general fast and prayer. This his excellency refused. But although he would not let them pray, he could not prevent them from adopting a most important measure, namely, that of choosing five delegates to a general and continental congress; and of giving immediate information thereof to all the other colonies, with a request, that they would appoint deputies for the same purpose. The preamble to the resolutions for choosing delegates to meet in a general congress, states the object to be, "the recovery and establishment of our just rights and liberties, civil and religious; and the restoration of union and harmony between Great Britain and America, which is most ardently desired by all good men."

It was during the consideration of these resolutions, that Samuel Adams displayed that firmness of manner, and adopted the bold measures to prevent the interference of the governor, which have been detailed in the preceding sketch. On all points he was nobly supported by the influence, eloquence and energy of his namesake, who received with him the fair reward of his fearless patriotism in being also elected one of the delegates to the congress.

It was a noble trust, and one of awful responsibility; so much so, that Mr. Sewall, an old and respectable friend of Mr. Adams, to whose advice he had been accustomed to listen with great deference, was alarmed on his account, and seeking an interview, endeavoured to persuade him to relinquish the appointment. Great Britain, he

represented, was evidently determined to enforce her system; her power was irresistible, and would bring destruction on him and all who should persevere in opposition to her designs. Mr. Adams' reply was, that he was well convinced of such a determination on the part of the British government, and that his course was fixed by that very belief; that he had been uniform and constant in opposition; as to his fate the die was cast, the Rubicon was passed—and sink or swim, live or die, to survive or perish with his country was his unalterable resolution.

He had now to act on quite a different stage; hitherto he had been among friends and neighbours, whose sentiments were familiarly known to him, and whose firmness he could estimate justly. But in meeting with delegates from other and distant colonies, not only new acquaintances were to be made, but the extent of their public spirit was yet to be ascertained. Boston having been the focus of opposition, the politicians of that place were generally supposed to be more disposed towards extreme and violent measures, than those whose situation had been more remote. It was rumoured concerning Mr. Adams, as a suspicion unfavourable to his character for discretion and judgment, that he sought to produce a separation of the colonies from England, and the establishment of an independent government; a plan that had seemed in the eyes of most of his co-patriots excessively rash and inexpedient. He received various hints on this subject, and was warned during his journey to Philadelphia in September, by several friendly advisers, that he and his colleagues should be careful not to utter a word in favour of independence; and being already seriously suspected of such designs, they should, in prudence, avoid all appearance of taking a lead in the proceedings of the congress; but ought rather to yield precedence to the Virginia gentlemen who represented the largest colony, and were not infected with any such wild notions.

Mr. Adams found the inhabitants of Philadelphia generally prepared to look upon him as an over zealous enthusiast, rather to be admired for his generous ardour, than trusted for political wisdom. If such was the light in which he appeared to most of the delegates to whom he was yet personally a stranger, he found at least in Patrick Henry, and Thomas M'Kean, if in no others, a congeniality of feeling as complete as had existed between him and any one of his colleagues, or the exasperated patriots that he had left in Boston.

The proceedings of this congress are well known, and their character has been the theme of well deserved eulogy from many elo-

quent writers on both sides of the Atlantic. The public papers that were issued by them, drew from Lord Chatham the compliment, "that he had studied and admired the free states of antiquity, the master spirits of the world; but that for solidity of reasoning, force of sagacity, and wisdom of conclusion, no body of men could stand in preference to this congress."

Mr. Adams had the satisfaction to see the principle, for which he had been contending unremittingly and publicly for nine years, namely, that parliament possessed no right to tax the colonies, fully adopted as the fundamental article of political faith of all the colonies; and the most earnest attention paid by the whole congress, to the distressful situation of disfranchised Boston.

The association which was formed by the congress and signed first by the members, comprising a non-importation, non-exportation, and non-consumption agreement was, Mr. Adams thought, the best measure that could then be adopted, in conjunction with the able and eloquent addresses to the king and the British people; but he did not very confidently hope, that these expedients would have the desired effect on the obduracy of the royal government.

"When congress had finished their business, as they thought," said Mr. Adams, on this subject, in a letter written in advanced age, "in the autumn of 1774, I had with Mr. Henry, before we took leave of each other, some familiar conversation, in which I expressed a full conviction that our resolves, declaration of rights, enumeration of wrongs, petitions, remonstrances, and addresses, associations, and non-importation agreements, however they might be respected in America, and however necessary to cement the union of the colonies, would be but waste water in England. Mr. Henry said, they might make some impression among the people of England, but agreed with me that they would be totally lost upon the government. I had but just received a short and hasty letter, written to me by Major Joseph Hawley of Northampton, containing 'a few broken hints,' as he called them, of what he thought was proper to be done, and concluding with these words, 'after all we must fight.' This letter I read to Mr. Henry, who listened with great attention; and as soon as I had pronounced the words, 'after all we must fight,' he raised his head, and with an energy and vehemence that I can never forget, broke out with, 'By G—d, I am of that man's mind.' I put the letter into his hand, and when he had read it he returned it to me, with an equally solemn asseveration that he agreed entirely in opinion with the writer.

"The other delegates from Virginia returned to their state in full confidence, that all our grievances would be redressed. The last words that Mr. Richard Henry Lee said to me, when we parted, were, 'we shall infallibly carry all our points. You will be completely relieved; all the offensive acts will be repealed; the army and fleet will be recalled, and Britain will give up her foolish project.'

"Washington only was in doubt. He never spoke in public. In private he joined with those who advocated a non-exportation, as well as a non-importation agreement. With both he thought we should prevail; without either he thought it doubtful. Henry was clear in one opinion, Richard Henry Lee in an opposite opinion, and Washington doubted between the two."

These were, doubtless, generous anticipations, founded on a mistaken confidence in the magnanimity and wisdom of the British rulers. But they did not deserve the compliment; the ministry were at that time more than commonly deficient in both these qualities; they and the people of England were equally ignorant of the condition, the history, and the feelings of America; the Americans were known to the British people only by the transactions of commerce.

A short time dissipated the illusion and showed the necessity of another session of congress, and of more vigorous measures.

The people of Massachusetts had at this period, the proud satisfaction of being the most immediate objects of ministerial vengeance. The former government was by this time dissolved, and a provincial congress had assembled, and in December of the same year, said, very truly, to the inhabitants, "you are placed by Providence in a post of honour, because it is a post of danger; and while struggling for the noblest objects, the liberties of our country, the happiness of posterity, and the rights of human nature, the eyes not only of North America and the whole British empire, but of all Europe are upon you."

Perhaps it would be adopting too early a date for this revolution, in the minds of the Americans, to place it so soon as the close of the year 1774; the ensuing season produced great events, which materially advanced the cause of freedom.

The situation of Massachusetts was, at this period, very remarkable; without government, and deprived of trade, the spirit which the leading patriots had infused into the people, sustained their firmness, and kept them within the bounds of regularity and order better than the most rigid police could have done. A letter written by an intelligent gentleman of Boston, at this date, to a friend in

England, contains the following picture. "The state of this province is a great curiosity; I wish the pen of some able historian may transmit it to posterity. Four hundred thousand people are in a state of nature, and yet as still and peaceable at present as ever they were when government was in full vigour. We have neither legislators nor magistrates, nor executive officers. We have no officers but military ones. Of these we have a multitude chosen by the people, and exercising them with more authority and spirit than ever any did who had commissions from a governor."

After an active and busy session, the first congress adjourned in November, and Mr. Adams returned to his home and family.

The provincial congress, on the fifth of December, re-appointed him with his colleagues, except Bowdoin, in whose place they substituted John Hancock, to represent them at the ensuing session, to be held in the next May.

Mr. Adams found there was now a new occasion for the exercise of his talents as a controversial writer, which had been so signally displayed before; his friend Sewall, who, being attorney general, naturally took the ministerial side in the disputes, had been publishing a series of very able essays under the name of *Massachusitensis*, arguing for the supreme authority of the parliament, and against the present revolutionary proceedings.

He at once and willingly took up the gauntlet, and maintained the justice and wisdom of the whig proceedings and doctrine, in a series of answers, under the title of "*Novanglus*." These papers are written with so much animation, and with such a display of minute knowledge of the colonial history and of general erudition, that even now they are attractive and interesting; the powerful influence which they must have had when the topics were fresh, and the readers had so much stake in the question discussed in them, cannot be estimated too highly.

These papers manifest great ability; but it is curious to observe, that even such a writer, at such a time, was obliged to disavow all desire for independence.

"'The scheme of the whigs flattered the people with the desire for independence; the tories' plan supposed a degree of subordination.' This is artful enough, as usual, not to say jesuitical. The word independence is one of those, which this writer uses, as he does treason and rebellion, to impose upon the undistinguishing on both sides of the Atlantic. But let us take him to pieces. What does he mean by independence? Does he mean independent of the

crown of Great Britain, and an independent republic in America, or a confederation of independent republics? No doubt he intended the undistinguishing should understand him so. If he did, nothing can be more wicked, or a greater slander on the whigs; because he knows there is not a man in the province, among the whigs, nor ever was, who harbours a wish of that sort."

But although he was thus cautious not to injure the cause of freedom by too precipitately urging that scheme of independence which must have been in his own contemplation, yet he did not fear to remind the people of the "massacre" committed by those soldiers whom he had defended in 1770, notwithstanding it might have been thought a subject dangerous to his own personal popularity.

Of all these essays, the most ingenious and characteristic, is one which comprises a grave, elaborate and learned justification of the destruction of the tea in the year 1773. This famous occurrence had been generally allowed to be merely excusable as an effervescence of honest and patriotic feelings, exhibiting themselves in a manner chargeable with some irregularity. The gentlemen who personated the Indians and made the "oblation to Neptune," as it is sometimes called, retained their disguise after all danger from the vengeance of the royal government had passed away. But Mr. Adams in the paper referred to, far from admitting the necessity of any concealment, contended with great eloquence, minute historical detail, and a display of considerable research, in favour of the absolute propriety and legality of the transaction.

In support of the general position that tumultuous and violent proceedings were some times lawful expedients in times of peace, he cited the authority of Grotius, Puffendorf, Locke, Barbeyrac and other philosophers, and argued from their opinions, and the peculiar circumstances of the case, that the tea was thrown into the water in strict conformity with the most punctilious rules of propriety.*

The publication of "Novanglus" was interrupted by the unexpected skirmish at Lexington, in which the first blood was drawn in the revolutionary contest. There was after this day little opportunity to write, and still less composure of spirits to read elaborate disquisitions upon historical or legal questions. Still, however, the

* It should be kept in mind, that this justification of turbulence was an unnecessary addition to the revolutionary extremity which vindicated it. The position, that "tumultuous and violent proceedings are sometimes lawful expedients in time of peace," will receive the sanction of no well-regulated mind in the present age.

deep-rooted attachment to the English constitution and the royal government, was not overcome; independence was yet a "word unmusical to *American ears*;" and it is remarkable that so generally did the people discriminate between the ministry whose designs they intended to oppose, and the king to whom they still desired to be faithful, that at Concord and Lexington, the militia that had been engaged in an actual battle with the royal forces, were called "king's troops," and the regular soldiers were termed "Bute's men;" in allusion to Lord Bute, who was then supposed to exercise a controlling and pernicious influence over the mind of the monarch.

Notwithstanding the prohibition contained in a proclamation from Lord Dartmouth, the secretary of state for American affairs, the new congress assembled at Philadelphia on the tenth of May, and Mr. Adams had the pleasure of again meeting his southern friends, and of forming some valuable acquaintances among the members that had not been there before.

The most important step taken at this session; at least the measure that will appear the most memorable in the eyes of posterity, was the appointment of George Washington as commander-in-chief of the armies to be raised in defence of American liberty. This most felicitous choice of a leader was suggested, advocated and produced by Mr. Adams; and if he had no other claim to national gratitude, that alone should be sufficient. If this appointment was the consequence of a "providential inspiration," as the great and good Fayette has eloquently declared, it was through Mr. Adams the inspiration was received, to which this nation owes the blessing of having had, so early, such a leader, and of still possessing the benefit of his example for us and our posterity.

There are many reasons for rejoicing that this choice was suggested, and that the suggestion was adopted. The tone and character of the revolutionary struggle, on the part of the Americans, were elevated and dignified by the exalted virtues that Washington brought into association with it. The world looked then upon the conduct of the rebels with more respect, as they became acquainted with his character; and we, as well as those who shall come after us, cannot but regard that era with a more intense interest, because it is connected, besides its other glorious associations, with the name of him who must continue to be "first in the hearts of his countrymen."

And well may Americans cherish the glory of that name; for the whole range of history does not present to our view a character

upon which we can dwell with such entire and unmixed admiration. The long life of Washington is not stained by a single blot. He was indeed a man of such rare endowments, and such fortunate temperament, that every action he performed was stamped with a striking and peculiar propriety. His qualities were so happily blended, and so nicely harmonized, that the result was a great and perfect whole. The powers of his mind, and the dispositions of his heart were admirably suited to each other. It was the union of the most consummate prudence with the most perfect moderation. His views, though large and liberal, were never extravagant; his virtues, though comprehensive and beneficent, were discriminating, judicious and practical. His conduct was, on all occasions, guided by the most pure disinterestedness. Far superior to low and grovelling motives, he seemed to be uninfluenced by that ambition, which has justly been called the instinct of great souls. He acted ever as if his country's welfare, and that alone, was the moving spring. His excellent mind needed not even the stimulus of ambition, or the prospect of fame. Glory was but a secondary consideration. He performed great actions, he persevered in a course of laborious utility, with an equanimity that neither sought distinction, nor was flattered by it. His reward was in the consciousness of his own rectitude, and in the success of his patriotic efforts.

It is a fact extremely characteristic of the purity and dignity that marked the proceedings of this congress, that although the selection of Washington for the chief command was preconcerted, at the suggestion of Mr. Adams, the object of their choice knew nothing of it until he was actually nominated in formal session, and elected by an unanimous ballot. The motive and the manner of this election, the suggestion, the preconcert, the nomination, the unanimous ballot and the modest acceptance of it, were all consistent with the virtuous aim and elevated character of the public body that conferred, and the individual that received this high, sacred and unexampled trust.

The only army that the united colonies had at this time, was the collection of New England militia hastily drawn together near Boston, in consequence of the aggressions committed by the British troops in Concord and Lexington. These raw and yet unorganized levies were commanded by the militia general officers of Massachusetts, and the neighbouring colonies. The southern colonies bore no part in the expense of this half-armed crowd, which scarcely

deserved to be called an army. It was a question of serious moment, whether a continental army should be raised for the general defence, while a reconciliation was still looked to as not merely desirable, but extremely probable. The project of establishing such a force was a favourite object with the New England delegates, and General Artemus Ward of Massachusetts was in their contemplation as the most suitable person to be entrusted with the chief command.

Mr. Adams suggested to his colleagues the expediency and propriety of setting aside local partialities, and appointing Colonel George Washington. The proposition was not at first at all relished; it was received indeed with extreme disapprobation. To elevate an entire stranger, a man not then in military life, and who never had held a military rank higher than that of colonel, over the heads of meritorious officers of the highest rank in the militia, and those actually in the field at the head of brigades and divisions, seemed to be so irregular, so disrespectful to their own officers, and so likely to give offence to the people at large, that the eastern delegates could not at first give their assent to the proposition. Mr. Adams, however, had a clear perception of the advantages that would be derived out of the services of Washington, whose character and peculiar fitness for the chief command, he justly appreciated. He was above all local jealousy, and did not deprecate the possibility of the chief honours of victory being gained by a Virginian.

But it was not without great efforts made by him, and Samuel Adams his distinguished colleague, whom he first won over to his views on this subject, that a sufficient number of the members were prepared to assent to the appointment. When he thought the majority was secured, he rose in congress and moved for the appointment of a commander-in-chief of the armies raised and to be raised, in defence of American liberty. A few only of the members knew whom he was going to propose, when he sketched a description of the qualities that ought to be combined in the individual selected for this elevated office; and when at length he concluded by nominating 'George Washington of Virginia,' the surprise of a large portion of those present was extreme, and by no one was it less anticipated than by Washington himself. The proposal was seconded by Samuel Adams, but no vote was taken until the next day, when the unanimous choice was made in conformity with this nomination.

Such is the true history of this memorable event, and the important agency of Mr. Adams in this most happy selection, is a striking

proof of his liberal and truly national feelings, his excellent discernment, and his unbounded influence not only with the delegates from the eastern states, but with the whole congress, in obtaining the unanimous vote, but also with the militia officers, the legislative authorities, and the people of New England, whose cheerful acquiescence immediately followed.

The expulsion of the British army from Boston by the militia force under General Washington in the ensuing autumn, spread new confidence through the land; and early in 1776, it became evident that petitions and remonstrances, however able, argumentative or eloquent, were not the best means of deterring the ministry and parliament from prosecuting their oppressive schemes. The act declaring the province of Massachusetts out of the king's protection, cut the tie which had held the colonies to the mother country; and the intelligence of treaties with German princes, for subsidiary troops to be employed in America, spoke a warning that could not be misunderstood.

Mr. Adams had, in deference to the prudential advice that he received at the time of the first meeting of congress, restrained himself from urging measures which might seem premature in the eyes of his southern friends; but the posture of affairs had now materially changed, and he came forward in congress with a resolution that was almost equivalent to an assertion of independence. On the sixth of May, he offered in committee of the whole, a resolve that the colonies should form governments independent of the crown. The shape in which this proposition was adopted on the tenth, was a recommendation to the respective assemblies and conventions of the united colonies, where no government sufficient to the exigencies of their affairs had been yet established, to adopt such government as might, in their opinion, best conduce to the safety and happiness of their constituents in particular, and America in general. On the same day the Massachusetts house of representatives voted a resolution that if the congress should think proper to declare independence, they were ready to support it to the utmost of their lives and fortunes.

How far this bold avowal of their feelings was prompted by letters from their delegates in congress, is not known, but the dates seem to correspond as if there had been a mutual understanding. Mr. Adams made his first movement in congress only a few days before this step was taken by the state, and five days subsequently to the Massachusetts declaration, he reported and advocated a pre-

amble for the resolution already passed, in which it was declared that, "whereas his Britannic majesty, in conjunction with the lords and commons of Great Britain, has, by a late act of parliament, excluded the inhabitants of these united colonies from the protection of his crown; and whereas no answer whatever, to the humble petitions of the colonies, for redress of grievances and reconciliation with Great Britain, has been or is likely to be given, but the whole force of that kingdom, aided by foreign mercénaries, is to be exerted for the destruction of the good people of these colonies; and whereas it appears absolutely irreconcilable to reason and good conscience, for the people of these colonies now to take the oaths and affirmations necessary for the support of any government under the crown of Great Britain, and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed, and all the powers of government exerted under the authority of the people of the colonies, for the preservation of internal peace, virtue and good order, as well as for the defence of their lives, liberties, and properties, against the hostile invasions and cruel depredations of their enemies."

This preamble was adopted, after an animated debate, and not without vehement opposition. It was published, and served as an appeal to the people of all the colonies. North Carolina alone had yet come out with an explicit desire for independence; but soon after this preamble was promulgated, the others followed successively.

The only question that seemed now to be left open, related to the time to be chosen for issuing a declaration of independence, and thus enabling the united colonies to take their station among the powers of the earth.

The Virginia convention having directed their delegates to bring forward the proposal, Mr. Lee was chosen by the gentlemen from Virginia to be their organ in obeying the instructions from their constituents. The motion was made, as is well known, on the seventeenth of June, and debated with great warmth until the second of July.

The discussion did not consist of formal prepared orations, nor flights of rhetoric. The late governor M'Kean, who was himself an active and efficient supporter of independence, said, "I do not recollect any formal speeches, such as are made in the British parliament and our late congress, to have been made in the revolutionary congress. We had no time to hear such speeches, little for deliberation—action was the order of the day."

Of the pre-eminent importance of Mr. Adams' exertions, we have the most direct and unequivocal testimony. Mr. Jefferson uniformly and emphatically declared that he had no equal. "John Adams," said he, on one occasion, "was our Colossus on the floor; not graceful, not elegant, not always fluent in his public addresses, he yet came out with a power both of thought and of expression that moved us from our seats." At another time, speaking of the Declaration of Independence, the same great man observed, that "John Adams was the pillar of its support on the floor of congress; its ablest advocate and defender against the multifarious assaults it encountered."

What, then, was the character of the eloquence that was thus distinguished in an assembly where Jefferson and Lee, McKean and Wilson, Chase and Samuel Adams, and many others of extraordinary abilities, were convened? "The eloquence of Mr. Adams," says an illustrious citizen of the same state, "resembled his general character. It was bold, manly and energetic, but such as the crisis required."

While Mr. Adams was thus lending his whole soul to the advancement of the measure, he was also a member of the committee which had been appointed, in anticipation, to prepare a suitable manifesto or declaration to be issued whenever the question should be decided. The proposition having come from the Virginia delegates, in conformity with instructions from the convention of the people at Williamsburg, and thus wearing the appearance of a popular rather than a congressional movement, the policy had been carefully observed of placing a Virginia member at the head of this committee. Mr. Lee, who was at that time the most prominent delegate from that colony, had been called home by illness in his family; Mr. Jefferson, then a young member, but high in reputation as a writer and a patriot, was chosen in his stead, and Mr. Adams was named the next in order, and above the venerable Franklin, on the list.

Mr. Adams very willingly relinquished to his junior colleague of the committee the honour of composing the paper, while he gave his own undivided attention to the arguments on the floor, and the management out of doors, that he knew were requisite to secure the success of the proposition; being more anxious for the establishment of independence, than solicitous to distinguish his name by connecting it particularly with a document that he well knew would be read by remote posterity.

It was not only within the walls of the state house of Philadelphia, that his influence was felt on this momentous occasion. Pennsylvania and Maryland still withheld their assent from the proposed separation from Great Britain; and it was necessary to procure from those colonies, some expression of public will, in accord with those demonstrations which had been made in most of the others.

Among his most intimate personal friends were Dr. Rush and Mr. Samuel Chase, with both of whom he had contracted an attachment that endured throughout his life, and caused him always to speak of them in the highest terms of praise. At this juncture these friends moved in concert, though in different scenes. Mr. Chase, whose zeal was not surpassed, left his seat in congress and hastened to Maryland, where, in conjunction with Mr. Charles Carroll and other patriots, he stirred up such a number of county meetings in favour of the cause, that the convention were overpowered, and, on the twenty-eighth of June, Mr. Chase wrote to Mr. Adams from Annapolis—"Friday evening, nine o'clock. I am this moment from the house, to procure an express to follow the post, with an unanimous vote of our convention for independence. See the glorious effect of county instructions. The people have fire; it is not smothered."

In the mean time, Dr. Rush, in pursuance of the same pre-concert, moved in the Pennsylvania conference for an expression of a similar sentiment. The Pennsylvania vote in favour of independence preceded that of Maryland only four days, and the feelings of all the colonies had now been authentically expressed.

On the second day of July, Mr. Adams had the satisfaction to see the triumph of his exertions, and the fulfilment of his ardent wishes, in the vote for independence, which, on the fourth, was unanimously confirmed, in the adoption and promulgation of the immortal manifesto which announced the establishment of a new and independent republic.

The transport of his feelings, the exuberance of his joy, on this occasion, may be seen most vividly portrayed in the letter which he wrote to Mrs. Adams on the succeeding day—a letter that is memorable, and now embalmed in American history, simply because it is so true and inartificial an effusion of ardent, enlightened, and disinterested patriotism. "Yesterday," he says, "the greatest question was decided, that was ever debated in America; and greater, perhaps, never was or will be decided among men. A resolution was passed, without one dissenting colony, 'that these

United States are, and of right ought to be, free and independent states.' The day is passed. The fourth of July, 1776, will be a memorable epoch in the history of America. I am apt to believe it will be celebrated, by succeeding generations, as the great anniversary festival. It ought to be commemorated as the day of deliverance, by solemn acts of devotion to Almighty God. It ought to be solemnized with pomps, shows, games, sports, guns, bells, bonfires, and illuminations, from one end of the continent to the other, from this time forward for ever. You will think me transported with enthusiasm, but I am not. I am well aware of the toil, and blood, and treasure, that it will cost to maintain this declaration, and support and defend these states; yet, through all the gloom, I can see the rays of light and glory. I can see that the end is worth more than all the means; and that posterity will triumph, although you and I may rue, which I hope we shall not."

The legislature of Massachusetts elected Mr. Adams, during a visit that he made to his friends and family at home, to be a member of the Council. He took his seat and assisted in the deliberations; but declined the office of chief justice, which they pressed upon him, because such duties would interfere with his attendance in congress, and he did not choose to abandon the national government which he had so mainly contributed to establish.

A memorable instance of the great activity of Mr. Adams during the critical period which preceded the declaration of independence, is to be found in his plan of a constitution for a state or colony, drawn up by him and published early in 1776, comprising a code of republican principles full and satisfactory, and recommended by a style pleasing and familiar.

Shortly after the disastrous battle on Long Island, the British general opened a negotiation with congress. The proposition was debated for several days. Mr. Adams opposed it as not likely to produce any good result, but was overruled, and a committee was appointed, consisting of himself, Dr. Franklin, and Mr. Rutledge, to visit the British camp. Lord Howe sent as a hostage, one of his principal officers, but the three commissioners, to show their confidence in themselves and their cause, waved the security to be derived from such a pledge, and took him with them. They repaired to the British head quarters on Staten Island, opposite Amboy, and were conducted to the commander through an army of twenty thousand men, arranged on purpose to make the most imposing show, so as to impress the minds of the commissioners with

a notion of the immense power of the nation with which they were waging war. They were, however, too well aware of the design with which this display was made, to indulge their enemies by showing any sign of amazement or uneasiness.

Lord Howe received them with great courtesy; and after compliments of civility, he told them that though he could not treat with them as a committee of congress, yet, as his powers enabled him to confer and consult with any private gentleman of influence in the colonies on the means of restoring peace, he was glad of this opportunity of conferring with them on this subject, if they thought themselves at liberty to confer with him in that character. The committee observed, that as they came to hear, he might consider them in what light he pleased, and communicate any propositions he might be authorized to make, but that they could consider themselves in no other character except that in which they were placed by order of congress. "You may view me in any light you please," said Mr. Adams, "except in that of a British subject."

Lord Howe then entered into a discourse of considerable length, in which the commissioners could perceive no explicit proposition, except one, namely, that the colonies should return to their allegiance and obedience to the government of Great Britain.

The committee gave it as their opinion that a return to the domination of Great Britain was not now to be expected, and added their reasons, at large; on which Lord Howe put an end to the conference; and this fruitless negotiation resulted as unprofitably as Mr. Adams had predicted it would, when he opposed the appointment of a committee. Throughout the remainder of the year 1776, and all 1777, Mr. Adams continued in the closest attention to the affairs of congress. His labours were incessant. He was a member of ninety different committees, a greater number than any other delegate, and twice as many as any but Samuel Adams and Richard Henry Lee. He was chairman of twenty-five committees. He was also chairman of the board of war and of the board of appeals; he was on the committees to give instructions to foreign ministers, to give instructions and commissions to military officers, to prepare various addresses, on the medical department, the post office, and others of the highest responsibility, and requiring the closest attention. Certainly his duties must have been more multifarious and severe than those of any officer under any government in the world. From these overwhelming labours Mr. Adams was relieved in December, 1777, by the appointment which he received and accepted,

of commissioner to France. This mission was founded on the anxiety generally felt to obtain open and efficient succours from the French government, in the war against its ancient and perpetual enemy or rival, Great Britain. The physical weakness of the United States was felt by all; the want of arms and equipments, but above all of money, was known to all those who had been concerned in public affairs; and it had become greatly important to arrange an explicit understanding with the king of France; which the Marquis La Fayette and other chivalrous Frenchmen at that time serving in the American armies, represented to be altogether practicable. He was appointed to take the place of Silas Deane, who, with Dr. Franklin and Arthur Lee, had been appointed commissioners in the preceding year.

Mr. Adams felt the importance of this service, and reluctantly agreed to a long separation from his family and the perils of a winter voyage across an ocean covered with hostile cruisers, when capture would most certainly subject him to close imprisonment in the tower of London.

He embarked on board of the frigate *Boston*, in the month of February, 1778, from the shore of his native town, at the foot of Mount Wollaston, and had, in the course of the voyage, an opportunity, for the first time, of participating in the personal peril of the contest, and of firing a gun at the enemy. Captain Tucker, the commander of the *Boston*, discovering an enemy's ship, could not resist the temptation to give chase and engage her, although his immediate duty was to sail direct for France, and land his passenger. The consent of Mr. Adams was first asked, and willingly given to this deviation. The captain, however, stipulated that he should stay in the lower part of the ship, as a place of safety; but, as soon as the fight commenced, he was found with a musket in his hand, and acting as a marine on the fore-castle, having volunteered his service in that station. The captain not approving of this exposure of his life, told him, "I am commanded by the continental congress to carry you in safety to Europe, and I will do it," and accordingly picked him up in his arms, and with good-humoured force lifted him from the scene of danger.

The efforts of Franklin and his colleagues in the commission had been fruitless, until the news reached France of the surrender of Burgoyne. This caused a change of policy on the part of the French government; so that when Mr. Adams reached Paris, he found that a treaty of amity and commerce as well as a treaty of

alliance, had been signed in the month of February, and that there was but little business of a public nature for him to transact. Dr. Franklin too received soon after the appointment of minister plenipotentiary, to which his advanced age, great public services, and high standing with the French people, so well entitled him; and Mr. Adams believing that he would be more serviceable at home, asked and obtained permission to return there in the summer of 1779.

His fellow citizens of Massachusetts immediately put his talents in requisition, to assist in forming the new state constitution, for which a convention was about to be elected. He accepted a seat in this body, and was a member of the committee appointed to prepare a plan for their consideration; his draught was accepted and reported, and he had again the satisfaction of seeing his principles of equal rights and republican institutions made the basis of a practical government.

During the time of his attention to the business of the Massachusetts convention, and before the labours of that assembly were terminated, congress came to the resolution that they would appoint a minister plenipotentiary to negotiate a treaty of peace with Great Britain. Mr. Adams, at that period, stood on particularly elevated ground as a negotiator, and representative of the United States abroad. Having served in that capacity during the greater part of the year 1778, and some part of 1779, he had been excepted from the reproach cast upon all the other diplomatic agents, by a vote of congress, passed on the twentieth of April, declaring that "suspicions and animosities had arisen among the late and present commissioners, injurious to the interests of the United States," recalling Mr. Arthur Lee, Mr. Izard, Mr. William Lee, and Mr. Deane, leaving only Dr. Franklin and Mr. Adams, and not exempting even Franklin from a share of censure.

He was, of course, in contemplation for this high and honourable employment; but Mr. Jay, the president of congress, was put in nomination, and his elevated character and known abilities, as well as his actual presence and station as presiding officer of the house, obtained for him a number of votes equal to those given to Mr. Adams, who was absent. There being no choice made at the first ballot, the subject was postponed; and, as a minister was to be sent to Spain, congress proceeded the next day to make a selection for that office, when Mr. Jay was almost unanimously elected, and immediately afterwards Mr. Adams received the appointment

of "minister plenipotentiary for negotiating a treaty of peace and a treaty of commerce with Great Britain."

It is somewhat remarkable, that the designation that ought to be given to Mr. Adams in his commission, was the topic of very grave and serious debate. The committee that prepared the draught entitled him "late commissioner of the United States at the court of Versailles, late delegate in congress from the state of Massachusetts Bay, and chief justice of the said state."

A motion was made, with very reasonable foundation it would seem, for striking out all this description of a man, whose name alone was quite sufficient designation; but after much discussion, the whole addition was retained.

The instructions under which the plenipotentiary was to act, were modified subsequently according to circumstances, but those with which he left his country were :

1. To make it a preliminary article to any negotiation, that Great Britain should agree to treat with the United States as sovereign, free and independent. And to agree to no treaty without a recognition of such independence.

2. To insist on certain boundaries, the same in all important particulars as those agreed upon subsequently in the definitive treaty.

3. The cession of Canada and Nova Scotia was not to be insisted on, nor their common right to the fisheries.

4. A cessation of hostilities during the negotiation might be stipulated. And,

5. In other matters he was to be governed by the principles of the alliance with France, the advice of our allies, his knowledge of our interests and his own discretion, in which was reposed "the fullest confidence."

He was also instructed as to the treaty of commerce :

1. To govern himself principally by the treaty of commerce already existing with the French king, and to grant no privilege to Great Britain which that convention did not concede to France.

2. To insist on the right to the fisheries.

Under these explicit instructions Mr. Adams accepted the appointment, and prepared for his departure. A liberal salary of twenty-five hundred pounds sterling was provided for him, and the French minister offered to detain the frigate *La Sensible* for his convenience, and to give him a passage in her to Europe. In that vessel he embarked accordingly, with Mr. Dana the secretary of legation, at Boston, in the month of October, 1779, and, after a

long voyage, was landed at Ferrol in Spain, and was obliged to make a very uncomfortable journey from that port to Paris.

Mr. Adams quickly discovered that the British government were not, at this time, disposed to make peace; they were well aware of the financial embarrassments of America, and confidently expected to be able to bring back their colonies to dependence. He very soon began, therefore, to despair of being able to fulfil the objects of his mission, and thought the time far removed when a negotiation could be entered into with any hope of success. In the partial depression of spirits which this belief occasioned, he seems to have sighed for the moment of his return to a tranquil home.

Mr. Adams had reached Paris in February, and communicated the objects of his mission to Dr. Franklin, the sole envoy of the United States at the court of France, and to the Count de Vergennes, the French prime minister. This minister, who appears to have intended the employment of some degree of diplomatic artifice towards the Americans, was very pressing to be fully informed of his instructions, but they were not communicated to him. He advised also, or requested, that the commission to make a treaty of commerce should be kept secret.

Though Mr. Adams studiously avoided any interference with affairs that did not relate to the ends of his mission, except when his opinion was expressly called for by the Count de Vergennes, yet he found opportunities of being useful, and received a vote of thanks from congress in the latter part of this year, "for his industrious attention to the interest and honour of these United States abroad." The immediate occasion of his appointment had been an informal communication from a member of the British government to Dr. Franklin, importing that the ministry were disposed to put an end to the war. But, during the year 1780, the cause of peace made no progress in the parliament; and the French government, after the appointment of Mr. Adams, declared that the situation of the affairs of the alliance in Europe, announced the necessity of another campaign as indispensable, to bring England to an acknowledgment of the independence of the United States.

Mr. Adams hearing of the misfortune that had befallen Mr. Laurens, who had been taken prisoner while on his passage to Holland, where he was to have negotiated a loan for the United States, and not being limited by his instructions to a residence in any particular country, determined to repair immediately to Holland, and see if something could not be done there, to render his country less de-

pendent on France, both for political consideration and for loans of money. He accordingly applied for his passports, without which he could not travel in France; but the French minister did not wish any success to the object of this change of residence, and under various pretexts detained him in Paris until midsummer.

In June of the same year, congress being informed of the captivity of Mr. Laurens, appointed Mr. Adams in his stead to negotiate for a loan in Holland. He received this commission accordingly in August, and by it an abundance of untried business was devolved upon him, of a nature exceedingly embarrassing and difficult, among capitalists, brokers, and usurers, many of whom could speak as little of the French or English languages as he could of Dutch.

Very soon afterwards he received the new appointment of commissioner to conclude a treaty of amity and commerce with the States General of Holland; and at the same time congress sent to him their resolutions, adopting the principles of the "armed neutrality" proposed by the Russian government, and acceded to by other powers; with instructions to agree, in any treaty that he might conclude, to regulations on the subject of neutral rights, such as might be established at a congress of the European states, then in contemplation. This resolution he communicated to the Russian, Swedish and Danish envoys in Holland, and received civil answers from each of them; but the policy of their courts was not rendered more favourable to American rights by this attempt to conciliate them.

He subsequently received letters of credence from congress, as their minister plenipotentiary to their "high mightinesses," and also to his serene highness the prince of Orange, as stadtholder of the United Provinces. By this accumulation of trusts, he was minister plenipotentiary for making peace; minister plenipotentiary for making a treaty of commerce with Great Britain; minister plenipotentiary to their high mightinesses the States General; minister plenipotentiary to his serene highness the prince of Orange and stadtholder; minister plenipotentiary for pledging the faith of the United States to the armed neutrality; and what perhaps at that critical moment was of as much importance to the United States as any of those powers, he was commissioner for negotiating a loan of money to the amount of ten millions of dollars, upon which depended the support of our army at home and of our ambassadors abroad.

He had no instructions to make any proposition of peace; the

offer was to come from the British government. But he thought, at one time, of making known his powers, in order that the people of England might see that the continuance of the war, which had become the subject of loud complaint among them, was not owing to the fault of the Americans. The Count de Vergennes, however, disapproved of this course, as indeed he did of every thing that could possibly lead to a pacification not under his immediate influence and control.

The question was referred to congress, and they adopted the views of the French minister, and informed Mr. Adams accordingly, that they "had no expectations from the influence which the people of England may have on the British council, whatever may be the dispositions of that nation or their magistrates towards these United States; nor are they of opinion that a change of ministers would produce a change of measures;" they therefore hoped that he would "be very cautious of admitting his measures to be influenced by presumptions of such events, or their probable consequences."

While indefatigably occupied in efforts to discharge all his multifarious duties, he was suddenly summoned to Versailles to consult with the Count de Vergennes relative to peace. The call was embarrassing, because he knew that he was doing good service in Holland. But as the opportunities to make peace, were not on any account to be neglected, he lost no time in repairing to the French capital.

He found that his presence there had been thought requisite, because the courts of Vienna and St. Petersburg, which had previously offered their mediation, had now communicated the project of a general peace; in which, however, the rights of the United States were but inadequately recognised.

This was an anxious period in the life of Mr. Adams. He knew that an earnest desire for peace prevailed among his countrymen; but he was not willing to compromise their rights by agreeing to terms that ought not to be imposed on them. It had been the constant effort of de Vergennes to make him act as a subordinate agent in this important matter, and govern himself by the wishes of the French cabinet. He on the contrary considered himself a plenipotentiary, and subject to no directions but those of congress. This opposition of views between him and the government of France, occasioned an effort on the part of the Count de Vergennes to obtain from congress a modification of his powers and instructions, so as to place him completely under the directions of that minister.

The chief motive for this design seems to have been an apprehension that Mr. Adams would refuse to relinquish the fisheries, and, on some other points, would insist on terms which the policy of France did not seek to secure to the Americans. The independence of America, indeed, France had bound herself to insist upon, and she was faithful to her contract, but further than that point the ministers of the king did not intend to go. It was not desirable, therefore, for France, that the powers of Mr. Adams respecting a treaty of commerce should be known to the British parliament, because it was intended that France should, at the time of a general pacification, have a voice in regulating the trade between the late belligerents, and receive a large share of whatever commercial advantage the new republic should have it in her power to grant.

Mr. Adams had been difficult to manage, and showed a disposition to transact his own business without waiting for the permission or dictation of the Count; in consequence of which, the French minister at Philadelphia was instructed early in 1781, to make a complaint of his refractoriness to the congress, and to demand that he should be placed under the immediate control of the French government. Accordingly, in May of that year, the congress were told by the Chevalier de la Luzerne, that "the empress of Russia having invited the king and the court of London to take her for mediatrix, the latter court considered this as a formal offer of mediation, and accepted it. It appeared at the same time to desire the emperor to take part therein; and this monarch has in fact proposed his co-mediation to the belligerent powers in Europe. The king wished to have the consent of his allies, the American States, but might possibly accept the mediation before their answer could be received by him, and that it was of great importance that this assembly should give their plenipotentiary instructions proper to announce their disposition to peace, and their moderation, and to convince the powers of Europe that the independence of the thirteen United States, and the engagements they have contracted with the king, are the sole motives which determine them to continue the war; and that whenever they shall have full and satisfactory assurances on these two capital points, they will be ready to conclude a peace."

Congress were also told by the same minister, that "if they put any confidence in the king's friendship and benevolence; if they were persuaded of his inviolable attachment to the principle of the alliance and of his firm resolution constantly to support the cause

of the United States, they would be impressed with the necessity of prescribing to their plenipotentiary a perfect and open confidence in the French ministers, and a thorough reliance on the king; and would direct him to take no step without the approbation of his majesty; and after giving him, in his instructions, the principal and most important outlines for his conduct, they would order him, with respect to the manner of carrying them into execution, to receive his directions from the Count de Vergennes, or from the person who might be charged with the negotiation in the name of the king."

Congress were further informed, that it was necessary that the king should know the intentions of the United States with regard to the proposed mediation; and that his majesty should be authorized by congress to give notice of their dispositions to all the powers who would take part in the negotiation for a pacification. The minister delivered his own opinion, that he saw no inconvenience arising from the congress imitating the example of the king, by showing themselves disposed to accept peace from the hands of the emperor of Germany and the empress of Russia. He added, that congress should rely on the justice and wisdom of those two sovereigns; and at the same time, he renewed the assurance that his majesty would defend the cause of the United States as zealously as the interest of his own crown.

This communication made a strong impression on congress, and a proposition was made to concur in the whole of the suggestions of the French envoy; but this was resisted, and after considerable debate and difficulty the instructions to Mr. Adams were modified so as only to direct the acceptance of the mediation offered by the empress and emperor, insisting however on independence and the maintenance of the treaties with France; to give a little more latitude of discretion and prudence as to other points; to require the most candid and confidential communications with the ministers of the king of France; and to "undertake nothing in the negotiation for peace or truce without their knowledge and concurrence." An additional article of instructions was also agreed to, in which he was authorized to accede to the proposal of a truce, provided Great Britain should not retain possession of any part of the territory of the United States.

The obligation to undertake nothing in the negotiation without the knowledge and concurrence of the Count de Vergennes, merely imposed the inconvenience of consulting with a disagreeable colleague; but was very different from the orders which the French

envoy had demanded should be sent to Mr. Adams, "to receive his instructions from" the French minister. Still it could not but be seen by Mr. Adams, that the influence of the French government almost amounted to dictation, and that eagerness for peace had too much increased.

It is remarkable that notwithstanding these complaints against him as a negotiator, from so prevailing an authority, the congress voted, when they sent the new instructions, that it was not expedient to join any other person with Mr. Adams in negotiating the treaty. Such was the actual state of the business when he left Amsterdam and came to Versailles to meet a proposal of the imperial mediators. The most objectionable feature of this proposition was that it stipulated an armistice without requiring the evacuation of the American territory by the hostile army. Against this stipulation Mr. Adams was resolute. He did not otherwise object to the mediation; but nothing further was at that time done in the matter. He wrote several letters to the Count de Vergennes explaining his views; but though that minister had through his envoy in America obtained a direction to Mr. Adams to communicate freely and confidentially with him, he took care to be especially reserved and incommunicative towards Mr. Adams.

The view which he took of this situation of affairs appears to have been not very encouraging; he had little or no expectation of obtaining peace by means of diplomacy, and estimated the influence of the pen in such a contest much less than that of the sword.

It is certain that the United States were, at this period, in as much danger from the insincere friendship of the Count de Vergennes, as from the open hostility of Lord Cornwallis. The French government assumed a very patronising and dictatorial tone towards the congress, and was gradually appropriating to itself a power over the concerns of America, almost as exceptionable as that which the British ministry had vainly endeavoured to establish. It was not the intention of the French minister to allow the United States to possess the fisheries without admitting France to a share in the advantage; nor did he mean to suffer the boundary line in the west to be placed where the Americans expected. The interests of Spain were preferred, in his plans of pacification, before those of America; and except a bare independence, nothing was to be secured to us.

In the extremely diplomatic compliments of congratulation and condolence addressed by the republican congress to the monarch of France, on the occasion of the birth of a child and the death of an

aunt, a slight indication of this new pupilage may be perceived; but when the representatives of a free and independent nation were required to instruct their plenipotentiary to "take no step without the approbation of his majesty," and to "receive his directions" from the king's minister, it was time to recall the recollection of the principles that led into the war, and to repel so arrogant a pretension of superiority, with the same manly scorn that before had rejected the claim of parliamentary supremacy.

Mr. Adams, after signifying to the Count de Vergennes his willingness to do any thing for the sake of peace, that might be compatible with the honour and interests of his country, and having satisfied himself that the British ministry had no real design of making peace on terms that could be acceptable to America, determined no longer to be detained from the important objects of his mission to Holland. After a few weeks only, passed at Versailles and Paris, therefore, he returned to Amsterdam.

In the mean time congress again became more alarmed, and reconsidering their resolution as to the number of commissioners, they joined Dr. Franklin, then plenipotentiary at Paris, Mr. Jay, the minister at Madrid, Mr. Henry Laurens, who had recently been appointed special minister to France, and Mr. Jefferson, in the commission with Mr. Adams; and added to the instructions given to the whole of them jointly, "that they should govern themselves by the advice and opinion of the ministers of the king of France." This was an extraordinary and unjustifiable submission to the views of the French government. It was not originally any part of the instructions recently prepared for Mr. Adams alone, but had been inserted at the special instance of the French envoy at Philadelphia, who was, in a strange spirit of subserviency, consulted on the subject. The same unaccountable and disgraceful concession was now incorporated in the new commission—a concession that made, in effect, the Count de Vergennes sole plenipotentiary for the United States, and left their independence and interests entirely at his control.

Mr. Adams was at Amsterdam when the new commission arrived, and being actively engaged there in persuading the cautious Hollanders to lend money to the United States, and convinced that until a change of ministry should take place in England, it would be useless to expect a peace, he did not quarrel with instructions which he felt too derogatory to his own character, and the honour of his country, to obey.

Few men in so trying a situation would have evinced so salutary a firmness as Mr. Adams had shown, in rejecting the proposal of an armistice, and maintaining his own independence of the French minister. His resolution could gain no support or encouragement from the people with whom he was obliged to associate; he had to withstand the allurements of imperial condescension and royal friendship; the experience of practised diplomatists and the opinions of able statesmen were all brought to bear on him, and worst of all, congress did not sustain him. But knowing the selfish policy of France, and feeling the same confidence in the final triumph of his country that had actuated him through the whole contest, he remained immovably fixed in a determination to obtain not a temporary, precarious, or degraded independence, but the fisheries and the boundaries, and every stipulation that was necessary to make independence secure and honourable. To this firmness the eventual success of this negotiation may be ascribed, and the glorious result exceeding the hopes of congress, by which the Mississippi was made the boundary line, the fisheries secured, and the nation saved from the obligation to indemnify the tories for opposing the freedom of their country.

But before the termination of this part of his duties Mr. Adams had a heavy task to perform in Holland. Notwithstanding that country was under a republican government, and ought on that account to have felt a sympathy for America, and although at war with England, the States General were not anxious to recognise the independence of the United States. For a treaty of amity and commerce Mr. Adams was only to wait without soliciting it, but his principal business was to obtain money, by means of which the war was to be prosecuted; and the most effectual negotiation for peace, he well knew, was to be looked for in the defeat of the British armies in the United States.

Money was the crying want of America; she had all the other resources of war, but her finances were in a deplorable condition. Holland was rich, but cautious, and made nice calculations of the probability of such success on the part of the Americans as would enable them to repay a loan. Mr. Adams saw that the disposition of the Dutch capitalists was kind, but their judgment had yet to be enlightened. His business, therefore, was to develop the resources and capacities of the United States, the nature of the soil and its productions, the hardihood, enterprise and industry of the people, their frugal habits, purity of manners, and rapid increase. All these

points were to be made clear before the money chests could be opened. That the United States were poor was not a decisive objection, for the Hollanders had learned that a nation could pay its debts if the people had industrious habits, ready ways of business, and liberty to pursue them without interruption.

Mr. Adams spared no pains to give them information; and he finally convinced them, and succeeded in his object. This was a new modification of diplomacy; to leave a country almost unknown to the great mass of Europeans as to its character and resources, but known to be in a state of revolutionary war, and under such circumstances to ask for money, the most difficult of all matters of negotiation, and to obtain it by the force of intelligence and truth, was an exploit reserved for him alone.

A series of papers published by him, under the form of letters to an inquiring friend, Mr. Kalkoen, argued these points ably and fully; with a history of the rise and progress of the war, and the prospect of its successful issue. These papers were translated, and were read with great avidity all over Holland; and at length, backed by the powerful corroboration which came to their aid in the intelligence of the surrender of Cornwallis, produced the desired effect.

In September, 1782, a loan was effected for eight millions of guilders, at five and four per cent., a rate of interest not extravagantly high, considering the situation of the United States, and the doubts whether the confederacy could keep the states together after the pressure of war should be entirely removed. This too was followed in the next month by the conclusion of a treaty of amity and commerce, placing trade on the footing of the most favoured nation, and of course recognising the United States as free, sovereign and independent.

In the spring of 1782, an informal overture for peace had come from England, but it proved abortive; and in the summer of that year Mr. Adams considered the war as by no means near its termination.

It is impossible to know how much the disposition towards peace, which made slow progress among the British statesmen previously, was quickened by the knowledge of the loan effected by Mr. Adams from the Dutch. It is certain, that immediately after this occurrence the first real and effectual steps were taken by the English government for putting an end to the war, by the unconditional acknowledgment of our independence. This policy being adopted by Lord Shelburne's administration, and announced to the American com-

missioners, the only questions that remained related to the fisheries, and other advantages that France did not desire to secure for her transatlantic allies.

Mr. Adams hastened to Paris, for the purpose of assisting in the arrangement of the articles of peace. A difficulty now existed arising out of the apparent obligations to act in concert with "our great and generous ally," the king of France, and out of the express instructions of congress to the commissioners, to govern themselves in this matter by the directions of the king's ministers.

It was well known, or strongly suspected by the commissioners, that the "great and generous ally" of the United States intended to cut them off from the fisheries, to insist on an arrangement of the boundary line which would surrender a part of the American territory to Spain, and to favour the claim of England for an indemnity to the loyalists. "The Count de Vergennes," Mr. Adams afterwards said, "was an accomplished gentleman and scholar, and a statesman of great experience in various diplomatic and other ministerial stations. In treating with other nations, he considered the interests of his own country, and left others to take care of theirs. His refinements were not invisible."

This opinion Mr. Adams had entertained from the first, and the other commissioners now joined with him in a determination to secure for their country much better terms than the French minister was willing they should obtain, and to disregard the inconsiderate orders of congress, which would have placed them in a state of subserviency to France. They accordingly met the British commissioner, and signed the provisional treaty, on the thirtieth of November, 1782. By so doing, they secured an honourable and advantageous peace, without any violation of the engagements imposed by the alliance with the French king, and without deserting their ally; for it was a condition of the arrangement, that no definitive treaty should be signed, unless peace were at the same time made with France.

The French minister finding himself baffled in his scheme of finesse, addressed sharp reproaches to the American commissioners for having taken this step without his interference. To an accusation such as this, of having aimed solely at securing the honour and interests of their country, none of the commissioners, except Dr. Franklin, condescended to make any reply. France had never avowed her designs; all that she had openly stipulated for, had been punctually observed; her wishes had been discovered only by her

advice to consent to less favourable terms, or betrayed by the insincerity of M. de Vergennes. The provisional articles were signed by Messrs. Adams, Franklin, Jay, and Laurens; and the definitive treaty which followed, was signed on the third of September following, by the same commissioners, except Mr. Laurens.

There was a deviation from the instructions of congress in making these treaties, in respect to the provision for restoring confiscated estates to the loyalists. This condition the British commissioner insisted upon as necessary to the honour of his government, asserting that those persons in the colonies who had faithfully adhered to the royal cause, could not be abandoned; on the other hand, Mr. Adams and his colleagues were instructed, and refused to stipulate any thing in their favour. This question delayed the treaty, but finally the British commissioner gave way, on being allowed to insert an article which was not authorized by the instructions from congress, providing that congress should recommend to the legislatures of the respective states to provide for the restitution of such confiscated property. This condition was manifestly nugatory, and otherwise the treaty was all that had been at any time hoped for. It was an extremely favourable and honourable arrangement, and was negotiated with acknowledged ability on the part of the Americans, but in England was extremely unpopular.

Mr. Adams remained, during part of the year 1784, in Holland, and returned to France on being placed in that year, by congress, at the head of a commission, in which Dr. Franklin and Mr. Jefferson were joined, with powers to negotiate commercial treaties with any foreign nations that might be disposed to meet them for the purpose. It was resolved, at the same time, that it would be advantageous to conclude such treaties with Russia, the court of Vienna, Prussia, Denmark, Saxony, Hamburg, Great Britain, Spain, Portugal, Genoa, Tuscany, Rome, Naples, Venice, Sardinia, the Ottoman Porte, and Morocco. He resided at Auteuil, near Paris, in order to be at hand for the purpose of executing his multifarious commission; but the outline of this extensive plan of commercial conventions was never filled up.

In January, 1785, congress resolved to appoint a minister plenipotentiary to represent the United States at the court of Great Britain, and a few weeks afterwards Mr. Adams was chosen for this important, and, under the peculiar circumstances of the case, delicate office. The appearance at that court, of an accredited minister of the late colonies—now, by the reluctant and enforced

consent of Great Britain, an independent nation—was an event calculated to attract the particular attention of all Europe. The temper in which he might be received was a doubtful anticipation, involving not only considerations, but national concerns. The embarrassment of this business was felt on both sides; Mr. Jay, then the secretary of foreign affairs, prepared a letter of credence, which congress prudentially ordered to be altered so as to have “no reference to former disputes.” And when Mr. Adams went over to England, Mr. Jay wrote to him: “The manner of your reception at that court, and its temper, views and dispositions respecting American objects, are matters concerning which particular information might be no less useful than interesting. Your letter will, I am persuaded, remove all suspense on those points.”

Mr. Adams being thus enjoined to report particularly the circumstances of his public reception, gave a full and particular account of all the ceremonies of his reception, from which we make the following extract.

“The king then asked me, whether I came last from France? and upon my answering in the affirmative, he put on an air of familiarity, and smiling, or rather laughing, said, ‘there is an opinion among some people that you are not the most attached of all your countrymen to the manners of France.’ I was surprised at this, because I thought it an indiscretion, and a descent from his dignity. I was a little embarrassed, but determined not to deny the truth on one hand, nor leave him to infer from it any attachment to England on the other, I threw off as much gravity as I could, and assumed an air of gaiety, and a tone of decision, as far as it was decent, and said,—‘that opinion, sir, is not mistaken; I must avow to your majesty I have no attachment but to my own country.’ The king replied, as quick as lightning, ‘an honest man will never have any other.’”

Notwithstanding the courtesy of his reception, Mr. Adams found the temper of the government of England extremely sour, and unfriendly towards the United States. It seemed as if the ministry were determined to make the peace only a truce, and hardly considered the war as finally closed. The posts on the frontier were retained so manifestly against the faith of the treaty, that congress thought it prudent not to insist on a categorical answer to the remonstrances which Mr. Adams had made upon the subject; and a commercial treaty the British government would not consent, by any means, to form.

Mr. Adams, however, could not be idle, and besides joining in the arrangement of treaties with the emperor of Morocco and the king of Prussia, he occupied himself in the intervals of his diplomatic intercourse with the government of England, in writing an elaborate and eloquent defence of the forms of government established in America.

Mr. Turgot, the Abbé de Mably and Dr. Price, with other European writers, had advanced unfavourable opinions of the systems of government formed by the several states of the union; and Dr. Franklin had been cited as having disapproved some features in several of them. To counteract the effect of these strictures, and keep the American people enlightened on the subject of republican institutions, the Defence of the American Constitutions was attempted.

Immediately after the publication of his Defence of the Constitutions, he asked permission to relinquish his office, and return; and in the year 1788, he had the happiness, after an absence of between eight and nine years, to find himself again at home.

At this period the new constitution was to be carried into effect, and two persons were to be voted for, of whom the one having the highest number should be president, and the other should be the vice-president. Washington had been mainly instrumental in originating the plan of the convention, and in causing the constitution to be ratified; he was, besides, pre-eminent in favour and renown. To be thought worthiest of being joined with him in this vote, and being placed in the highest station except that which he consented to fill, was an honour reserved to Mr. Adams. In the autumn of 1788, he was elected vice-president, and on the fourth of the next March, he took his seat as president of the new senate, at New York, where the first congress was convened.

In this station he presided with acknowledged dignity, was consulted by Washington on all occasions of difficulty, and passed through his whole term in that office in uninterrupted harmony with the president, and without the smallest misunderstanding with any member of the senate. An example of the confidence reposed in his opinions respecting public affairs, is to be seen in the correspondence that occurred in 1790, between Washington and himself, on the subject of a probable attack by the English upon the Spanish possessions near the Mississippi, and the measures that the United States ought to adopt, in case the British forces should be marched from Canada through a part of the North Western territory.

The advice of Mr. Adams was marked by a just regard to the national honour and dignity, and a preference of peace, if war could be avoided without compromising either; but he recommended that no violation of our territory should be on any account permitted.

He was re-elected as vice-president with entire unanimity in 1792, and the period during which he held this office was the most tranquil and, perhaps, except the few last years of his life, the happiest that he ever knew.

In 1796, General Washington took leave of public life, and the nation was obliged to look for a successor. Mr. Adams was of course in view for this promotion, and was elected, though not without opposition and a close contest. The French revolution had engrossed the attention of the world. In this country republican sympathies were awakened, the errors of the reformers were overlooked, and the sanguinary excesses which disgraced France were forgiven by a large portion of our citizens. Two parties became formed in the United States, each disclaiming for a time the name of party, but indulging hostile feelings towards each other. Foreigners wielding a portion of the power of the press for their own selfish purposes fomented these unhappy discords. Mr. Jefferson was the candidate of the party that opposed Mr. Adams, but between them, personally, there was no unkindness, as politically there was really but little difference. Of the electoral votes Mr. Adams received seventy-one and Mr. Jefferson sixty-eight, and in March 1797, they entered upon their offices as president and vice-president of the United States.

During the excitement of the contest, Mr. Adams had been charged with a preference for monarchical institutions, and this absurd accusation growing out of his defence of the frame of government which provided for a single executive and two houses of the legislature, in opposition to the argument in favour of the system, which had been tried in Pennsylvania, comprising a plural executive and single house of legislators, was repeated with great perseverance, along with a thousand electioneering calumnies. The licentiousness of the press on such occasions is now well understood, but this was the first occasion of its prostitution in America to such purposes. Mr. Jefferson, therefore, thought it was necessary for him to disown most pointedly and publicly any share in this attack on the character of his competitor; and when he first met the senate as their president, he took occasion to tell that respectable body of men, that the duties of the chief magistracy had been

"justly confided to the eminent character who preceded him ; whose talents and integrity," he added, have been known and revered by me through a long course of years ; have been the foundation of a cordial and uninterrupted friendship between us ; and I devoutly pray that he may be long preserved for the government, the happiness and prosperity of our country." Besides this compliment, Mr. Adams received from the senate over which he had presided for eight years, an address taking leave of him with the strongest expressions of respect and affection.

In his inaugural address the new president also took the opportunity of declaring his attachment to the constitution, without desiring any change. It was not, he said, when he first saw the constitution, nor had it been since, any objection to it in his mind, that the executive and senate were not more permanent. Nor had he entertained a thought of promoting any alteration in it, but such as the people themselves, in the course of their experience, should see and feel to be necessary or expedient, and by their representatives in congress and the state legislatures, according to the constitution itself, adopt and ordain.

On the same occasion he gave a summary of the principles by which he should govern himself in the performance of his functions as president ; and it is believed that he did not in any instance depart from them. He added a just tribute to the virtues and wisdom of his great predecessor, and an intimation of a doubt of his own abilities to follow so exalted a model.

The administration of Mr. Adams should be left to the historian, within whose province, rather than that of biography, it is properly confined. A very slight notice of some of the prominent circumstances will be permitted, however, to this imperfect sketch of his eventful life.

His public measures as president have been often compared with those of his predecessor and his successor ; and because he was not re-elected as they were, the comparison has been supposed to show his fitness for that high office to a disadvantage. But the circumstances were widely different ; he fell on evil days, and it is not conceivable that any possible course of conduct, on his part, could have prevented the overthrow of the party with which his name was connected. Without disparaging the character of Mr. Jefferson, it is nevertheless true, that his defects were concealed in the glare of his success, while the virtues of Mr. Adams were obscured in the gloom of his fall, or rather in the fall of the Federal party.

Notwithstanding the extraordinary popularity of Washington, scarcely any important act of his administration had escaped the most bitter invective. Mr. Adams, of course, was not exempted from the same hostility. He found a cabinet composed of able men, but not of his choosing, therefore not bound to him by any tie of gratitude, and not personally attached to him. He continued them in their offices from the best motives, but the policy was unfortunate. He found, too, the government embroiled in a dispute with France, and one of his earliest communications to congress had to comprise the information of an outrageous insult offered to the minister of the United States by the government of that country. The speech of the president on this occasion was dignified and eloquent; it was calculated to rouse those indignant feelings which a high-spirited people, insulted and injured by a foreign power, can never fail to display, if their sensibility to external wrongs is not blunted by invincible prejudice. On the manifestation of such feelings he relied for the success of any further negotiation, and on their real existence he depended for the defence of the national honour, if further negotiation should be fruitless.

An enthusiastic admiration of France, however, prevailed among a very large portion of the American people; an admiration which all are now willing to allow was excessive, though generous. By this part of the community it was insisted that the provocation had been given by the preceding administration, and that the United States owed the first apology. After the hearty approbation of Washington's public conduct, manifested at the time by a large majority of the people, it would have been impossible to undo what he had done. To yield to the wishes of this party was therefore out of the question. Mr. Adams was compelled by the force of circumstances, as well as by the dictates of his own judgment, to persist in a manly and dignified deportment towards the French rulers, who had been endeavouring to excite among the American people a dissatisfaction with their chosen legislators and magistrates.

He was encouraged by addresses from all quarters, and among the rest by the approving voice of Washington. He did not abandon hope, however, of a pacification. Congress and the people, excepting the party opposed to him, went much further than he did in their view of the extent to which the national honour required the United States to go towards actual war. He offended many of the zealous federalists by appointing a new commission, consisting of three envoys, to France, in consequence of an informal intimation

from the French government that they would give a respectful reception to such an embassy.

The gentlemen selected for this mission, Messrs. Pinckney, Marshall and Gerry, were treated with insult by the French Directory. History hardly furnishes an example of such open contumely suffered by one nation from another, as the United States now received, in the persons of their ministers, from France. Yet it is certain that the popularity of Mr. Adams was affected by the measures, moderate as they were, that he recommended for upholding the national character.

He was unfortunate, if not being re-elected was a misfortune, in other particulars than the prevailing sympathy for republican France. In his enlarged views of policy, a naval establishment was considered necessary to protect our commerce and defend our territory. The nation has since done justice to his wisdom, in this particular, by adopting the same policy ; but during his administration, and for some years afterwards, the navy was not regarded with general good will. The intemperate abusiveness of the press was looked upon, at that time, with a degree of uneasiness that has disappeared since the true corrective has been better understood ; and laws were made to restrain the publication of falsehoods calculated to injure the government. Other measures were adopted, with a view to strengthen the executive power in a season of national peril and difficulty. The people had not been accustomed to see such restraints imposed even upon the seditious ; and imputed indiscriminately to the president the blame which belonged to the leaders of a party in congress.

He proceeded, meanwhile, in the honest discharge of his duties, without courting popularity by any sacrifices. He dismissed the secretary of state, when he thought the national interests required a change, without fearing the effect of a division among his friends. His manners and address were as unbending as his public principles ; he was neither possessed of the grand and imposing presence of Washington, nor the fascinating vivacity of conversation that distinguished Mr. Jefferson. His figure was low and ungraceful, his address often abrupt and repulsive ; nor did he always know how to conceal his sentiments when concealment would have been prudent. Of this failing he was himself well aware, and once when in the room of Stuart the painter, he looked at the portraits of Washington and himself standing side by side, and observed the tightly closed mouth in the picture of Washington, and the severed

lips in his own, "Ah," said he with a smile, "that fellow," pointing to his own likeness, "never could keep his mouth shut."

Of the particulars in public policy to which he lent his influence or concurrence, some have been since adopted as the permanent politics of the nation; the wisdom of others is still a subject of dispute among men of sense and patriotism: but the perfect purity of his intentions has been admitted even by Mr. Jefferson, when he was the active leader, as well as the candidate of the opposing party. During the heat of the political contests which resulted in the elevation of that distinguished person to the presidency, he rebuked the violence of some young politicians, who were imputing to Mr. Adams designs injurious to the republican institutions of his country. "Gentlemen," said Mr. Jefferson, "you do not know that man; there is not upon this earth a more perfectly honest man than John Adams. Concealment is no part of his character; of that he is utterly incapable. It is not in his nature to meditate any thing that he would not publish to the world. The measures of the general government are a fair subject for difference of opinion, but do not found your opinions on the notion that there is the smallest spice of dishonesty, moral or political, in the character of John Adams; for I know him well, and I repeat that a man more perfectly honest never issued from the hands of his Creator."

With integrity thus vouched for and not disputed, talents of a high order, great experience in public affairs, and unbounded patriotism, he was a candidate for re-election, and was not re-elected. It is probable that nothing in his power to do, nor his possessing a hundred-fold the talents, experience and virtue, if that were possible, could have prevented the defeat of the party with which he was unfortunately connected, and whose rashness in the use of power soon consigned them, as a party, to a final overthrow, and caused some of the wisest maxims in national policy to be for a time discarded.

After completing his presidential term of four years, he retired in March, 1801, to his quiet home at Quincy, where he lived in happy retirement, an attentive spectator of public events, but not pining with any desires to mingle in them again. If the loss of his election brought with it some degree of mortification to his pride, the buoyancy of his spirits and strength of his understanding soon restored his cheerfulness and complacency; and although sometimes provoked by the repetition of ill-natured remarks formerly made upon his conduct, he seldom showed any embittered feelings towards those who had opposed or deserted him.

Letters were written to him under the seeming of the most devoted friendship, insidiously to draw from him some obloquy against his successful competitor ; but although the contest had been violent, and great latitude of invective had been indulged on each side, yet in his answers, confided to the "honour" and "discretion" of his correspondent, and afterwards published in despite of honour and discretion, he spoke more kindly of his late rival than was usual with any of the leaders of the defeated party.

He was offered a nomination as governor of Massachusetts, but he wished only for retirement. Zealous as ever for the honour of his country, he supported the policy of Mr. Jefferson's administration in the disputes with England, and not only in conversation, but in letters that were published and extensively read, contended ably and earnestly for the maintenance of our rights. When these disputes afterwards eventuated in war, he avowed his approbation of that measure, notwithstanding the prevailing sentiment against it in his own state and immediate neighbourhood. Writing to a friend on this subject, in July, 1812, he thus expressed himself:

"I think with you, that it is the duty of every considerate man to support the national authorities, in whose hands soever they may be: though I will not say whatever their measures may be.

"To your allusion to the war, I have nothing to say, but that it is with surprise that I hear it pronounced, not only by newspapers, but by persons in authority, ecclesiastical and civil, and political and military, that it is an unjust and unnecessary war; that the declaration of it was altogether unexpected, &c. How it is possible that a rational, a social, or a moral creature can say that the war is unjust, is to me utterly incomprehensible. How it can be said to be unnecessary is very mysterious. I have thought it both just and necessary for five or six years. How it can be said to be unexpected, is another wonder. I have expected it more than five and twenty years, and have had great reason to be thankful that it has been postponed so long. I saw such a spirit in the British Islands, when I resided in France, in Holland, and in England itself, that I expected another war much sooner than it has happened. I was so impressed with the idea, that I expressed to Lord Lansdown, (formerly Lord Shelburne,) an apprehension that his lordship would live long enough to be obliged to make, and that I should live long enough to see, another peace made between Great Britain and the United States of America. His lordship did not live long enough to make the peace, and I shall not probably live to see it; but I

have lived to see the war that must be followed by a peace, if the war is not eternal."

When a loan was opened for the purposes of a war expenditure, and some efforts were made to deter capitalists from intrusting their money to the government, he went forward to give an example of confidence, and the first certificate of stock was issued on his investment.

The reluctance shown by some of the eastern states to co-operate in a strenuous prosecution of the war, was regarded by him with regret, but with no conviction of any deficiency on their part in patriotic feeling. He had known them long and well, and could not doubt the soundness of their principles, although he lamented the error of their political views. In a letter to a friend in Philadelphia at this period, he ascribed their backwardness to a dissatisfaction at not being allowed to cherish a navy; and likened their conduct to that of Achilles offended by being deprived of his Briseis, and provoked to withdraw his aid from the Grecian confederacy. The illustration was apt and pleasing, and evinced the generous construction that he was willing to put on the conduct of his neighbours, and the pertinacity with which his mind still dwelt upon a naval establishment as a cardinal point of national policy.

He was now an old man, but age had overtaken him in this happy retirement, and had brought the venerable dignity of years, without destroying the cheerfulness of youth. His mind was perpetually active, and he continued to take the most lively interest in the development of the happy consequences of the revolution, in the established prosperity of his country, and the extension of the principles of civil freedom to other regions of the globe.

The centre of an interesting circle of friendship and affection, with an unabated love of reading and conversation, his declining years seemed to be surrounded with all the sources of felicity that the condition of man allows.

His friendship with Mr. Jefferson, now also in a similar retirement, was renewed, and their intercourse revived in an interchange of letters, that occasionally were allowed to find their way into the public prints, and were universally read with the deepest interest. No two men were ever more fitted to give pleasure to each other, by a correspondence of this kind. They had passed through anxious scenes together, and had since been so widely separated in their associations, that different views of life, in many particulars, had been engrafted on their early community of feeling. They were

both masters in letter writing, though not resembling each other in style. Mr. Adams was more plain, concise and emphatic; Mr. Jefferson more felicitous in the arrangement of words.

All that the world has seen of the writings of Mr. Adams, including his numerous political documents, his revolutionary addresses, letters and essays, his official correspondence, reports, speeches and messages, his *Defence of the American Constitutions*, and the supplement to that work, called *Discourses on Davila*, published in 1790, exhibit indisputable marks of genius, adorned by classical and historical learning; and his occasional letters, written in the later period of his life, are distinguished by acuteness, ingenuity, and a striking force of imagination.

The few incidents that diversified the even tenor of his old age were, with some exceptions, of a most gratifying nature. In 1815, he saw the second treaty of peace concluded with Great Britain, by a plenipotentiary commission of which his son was at the head, as he had been himself in that commission which formed the treaty of 1783. Two years after this event the political party in Massachusetts, once most vehemently opposed to him, paid him the compliment of placing his name at the top of their list of presidential electors; and in 1820, the convention assembled for the purpose of amending the state constitution, and composed of the most enlightened men of all parties, unanimously solicited him to act as their president. This he declined on account of his age; but the vote of the assembly was a spontaneous compliment paid by his fellow citizens to his virtues and services, and a delightful solace for those infirmities which obliged him to absent himself from their deliberations.

He had lost, in the autumn of 1818, his amiable and faithful consort, who had shared his anxieties and his felicity for more than half a century. This was a severe affliction amid his multiplied blessings, but he considered himself only a lingerer in this world, and soon to follow; and his heart responded to the sentiment expressed in an affectionate letter of condolence, by Mr. Jefferson, that it was a comfort to think the term was not very distant, when they were to "deposit, in the same cerement, their sorrows and suffering bodies, and to ascend in essence to an extatic meeting with the friends they had loved and lost, and whom they should still love and never lose again."

The piety of Mr. Adams did not need this chastening stroke; it had been always fervent and sincere, and the regular attention to

the duties of public worship, in the church of which he was a member, for sixty years, and to which he afterwards bequeathed property worth ten thousand dollars, was one of the habits of his life that endured to the last.

In the exercise of unostentatious hospitality, partaken by visitors from every quarter, who resorted to his house to gratify their curiosity with the sight of so illustrious a man, and to share the pleasures of his conversation, always rich in anecdote of times past, and full of political and moral instruction; surrounded by an amiable family of descendants, the last years of his protracted life glided tranquilly away.

But he was reserved for an unexampled instance of human felicity, and for a death so remarkable in its circumstances, as to strike the mind of a whole people with the impression of divine interposition.

He had seen his eldest son pass through various gradations of public service, with advantage to his country and honour to himself. He had watched with parental solicitude and pride the manifestations of his superior virtues and abilities, and he lived to see that beloved son, the object of his pride and affection, elevated to the chief magistracy of this great and prosperous republic.

There is no earthly joy like parental joy, as there is no sorrow like parental sorrow. History presents no parallel for such an event; no such reward was ever allowed on earth to crown a long life of public usefulness and virtue.

Mr. Adams had lived too long to regard power and official elevation as in themselves desirable, and knew, from experience, that his son could not escape the anxieties and cares that render the possession of exalted stations often much less than the anticipation. But as the palm of virtue and high talents, honourably gained in a fair competition, he regarded his son's election to the presidency with a just and pious exultation.

When the fiftieth anniversary of the Declaration of Independence approached, two only of the committee that prepared that document, and of the congress that voted its adoption and promulgation, and one more besides of those who inscribed their names upon it, yet survived.

That such an anniversary should be the day appointed for the departure of the two co-labourers, is a circumstance that will be looked upon with a degree of wonder proportioned to the sensibility of the various minds by which it is considered. The universal burst

of feeling in all parts of this country, showed that the nation recognized something in the dispensation beyond the ordinary laws of human existence.

Mr. Adams had not, until a very few days previous, shown any indications of a more rapid failure of strength. The fourth of July, 1826, found him unable to rise from his bed, on account of an unusual degree of debility that had come upon him two days before. He was not, however, aware of so near an approach of death. On being asked to suggest a toast for the customary celebration of the day, he exclaimed, "INDEPENDENCE FOR EVER!" and those were the last words that he was known coherently to utter. The different members of his family seemed to engross his attention after this, and at about four o'clock in the afternoon, without pain or suffering, he expired.

It is known that the illustrious Jefferson departed a few hours before him; and we cannot close this imperfect sketch more appropriately, than by borrowing the language of one who most deeply felt the impressiveness of this solemn and memorable event.

"They departed cheered by the benedictions of their country, to whom they left the inheritance of their fame, and the memory of their bright example. If we turn our thoughts to the condition of their country, in the contrast of the first and last day of that half century, how resplendent and sublime is the transition from gloom to glory! then, glancing through the same lapse of time, in the condition of the individuals, we see the first day marked with the fulness and vigour of youth, in the pledge of their lives, their fortunes, and their sacred honour, to the cause of freedom and of mankind. And on the last, extended on the bed of death, with but sense and sensibility left to breathe a last aspiration to heaven of blessing upon their country; may we not humbly hope that to them, too, it was a pledge of transition, from gloom to glory; and that while their mortal vestments were sinking into the clod of the valley, their emancipated spirits were ascending to the bosom of their God!"

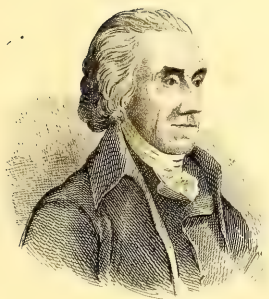
ROBERT TREAT PAINE

ROBERT TREAT PAINE was born in Boston, in 1731, of pious and respectable parents. His father, descended from an ancient and worthy family in the province, was a public teacher, and for a few years pastor of a church in Weymouth, near Boston. His mother was a daughter of the Rev. Mr. Treat of Eastham, in Barnstable county, an eminent divine, and a good classical scholar. From such parents, no doubt, he received the best moral and religious instruction. His early classical education was under James Lovell, many years the principal of a Latin school in Boston. He became a member of Harvard College, at the age of fourteen. Of his habits and acquirements at the university, however, little is now recollected by his family or friends. After he left the university, he was some months employed in keeping a public school, in a country town; an occupation which in New England has always been considered honourable as well as useful. He afterwards made a voyage to Europe, to which he was chiefly induced by a wish to acquire means to assist his father and family.

Mr. Paine, before he entered on the study of the law, turned his attention, for some time, to theological subjects; which probably had the happy effect to give him clear views of the evidences of Christianity, of the truth of which he always declared his firm belief. He was a few months with the troops from the province, at the northward, in 1755, in the capacity of chaplain; and occasionally preached in the pulpits of the regular clergy in Boston and its vicinity.

It was about this time, that he engaged in the study of the law, with Benjamin Pratt, a celebrated barrister in the county of Suffolk, and afterwards chief justice of the colony of New York; and having no pecuniary assistance from his father, he was obliged, during this period, to resort again to the profession of schoolmaster for his support.

He first established himself in Boston, and then removed to



ROBT TREAT PAINE

Taunton, in the county of Bristol, where he continued for many years; not, however, confining himself to that part of the province; for he frequently attended the courts in several other counties. He had many qualifications for an able and popular lawyer. He was learned, argumentative, discriminating, prompt and satirical.

At this period, there is an interesting correspondence of Mr. Paine with Jonathan Sewall and John Adams, and other distinguished lawyers; and with Mr. Elliott, an intelligent merchant of Boston. The same professional pursuits occasioned his particular intercourse with the former, and the similarity of their religious views was probably one cause of his intimacy with the latter; though the social qualities and literary taste of Mr. Elliott were such as to render him highly esteemed by the intelligent men of that day.

In September, 1768, the general court having been dissolved by Governor Bernard, because they would not rescind their circular letter to the other colonies, requesting them to act in concert for the public good, a convention was called by the leading men of Boston. Most of the towns in the province deputed some of their patriotic and able citizens to attend. Mr. Paine was a delegate to this convention from the town of Taunton. Several spirited resolutions were adopted, calculated to rouse and animate the people, to confirm them in their attachment to their chartered rights, and to show the administration in England, that, though the general court was dissolved, the province could act with energy and effect. The governor ordered them to separate, but they remained in session several days, contending that such a meeting for redress of grievances was strictly constitutional.

Mr. Paine was employed by the citizens of Boston to conduct the prosecution, on the part of the crown, against Captain Preston and his men, for firing on the inhabitants of the town, on the fifth of March, 1770. The preference thus given him, to other legal characters in the state, is an honourable evidence of his standing; and he managed the cause with such ability, as to add greatly both to his professional reputation and to his character as a patriot.

In 1773, when the conduct of the British administration had created so much alarm, that the colonies were corresponding with one another, to withstand the tyrannical measures that still threatened them, a similar intercourse was established between the citizens of the capital and the other towns in Massachusetts. On this occasion, the town of Taunton chose a large committee, of which Mr. Paine was chairman. Resolutions were passed by this com-

mittee, the original draught of which has been found in the handwriting of Mr. Paine, not inferior, in firmness and patriotism, to those previously passed in Boston.

This year he was chosen a representative to the general assembly of the province, for the town of Taunton. At this time, none but firm and active friends of liberty were delegated by the people. He was appointed on several important committees during the year, and was one of the members chosen to conduct the impeachment against Peter Oliver, then chief justice of the province, who was charged with receiving his stipend from the king, instead of a grant, as usual, from the assembly. This impeachment was conducted with great ability, and the proceedings are preserved in the journals of the house for that year. Mr. Paine was again chosen a representative in May, 1774, and was an active and influential member at that very critical period.

Governor Hutchinson had been ordered, about this time, to England, and General Gage appointed his successor. The intelligent statesmen in the province saw a crisis approaching which would require all their firmness; and perceived that the only alternative was submission to the arbitrary measures of a deluded and tyrannical administration, or open opposition by military force. Soon after the general court assembled in Boston, and was adjourned to Salem by Governor Gage. It was a period of great excitement and alarm. A committee was chosen, larger than on any former occasion, to consider the state of the province, of which Mr. Paine was one. It was on the recommendation of this committee, that the resolution to appoint delegates to a general congress was taken up and finally passed. Mr. Paine was chosen one of the delegates. A greater proof of confidence in his integrity and patriotism, or a higher sense of his talents and firmness, could not have been given.

It was justly concluded, that the deliberations and proceedings of such an assembly would have great effect; and would, at the same time, be likely to result in a correct and comprehensive view of what the public good required. Massachusetts, and some other colonies, had petitioned separately; but without producing any relaxation in the arbitrary and oppressive measures of the administration. It was important to learn the views and opinions of the other colonies, and to unite their efforts for the protection and welfare of the whole.

As yet, a separation from Great Britain was not openly proposed, or generally contemplated; though some of our more reflecting

statesmen, even at this period, considered it not improbable that this would be the final result of the controversy. The patriots of that day contended only for the enjoyment and exercise of rights believed to be guaranteed by their charter; and expected, that, on their firm and decided stand against the administration, their liberties would still be continued inviolate. It was under these impressions, that the first continental congress convened at Philadelphia, in September, 1774. The journal of their proceedings affords sufficient proof that their sentiments and views were such as have been stated.

Particular reference was had, by this congress, to the efforts and sufferings of the people of Massachusetts—the former were highly approved and applauded, and the latter feelingly commiserated. For hitherto, the firm stand in defence of American liberty, made by the citizens of this province, had particularly provoked the censures of the British ministry; and against them chiefly, the severe and oppressive acts of parliament were pointed. But their patience and moderation were as remarkable as their decision and firmness. On the communication to congress, of the proceedings at a meeting of delegates from the several towns in the county of Suffolk, at Milton, in September, 1774, that body unanimously resolved, “that it felt deeply for the sufferings of the people in Massachusetts, under the operation of the late unjust, cruel and oppressive acts of the British parliament—that it most thoroughly approved of the wisdom and fortitude with which opposition to those wicked measures had hitherto been conducted.” They recommended a perseverance in the same firm and temperate conduct which had been already displayed, particularly by the delegates of said meeting, “trusting that the united efforts of America in their behalf, would carry such conviction to the British nation, of the unwise, unjust, and ruinous policy of the present administration, as soon to introduce better men and wiser measures.”

This session of the continental congress closed in October; but not without a solemn appeal to the people of America, of Great Britain, and to the world, that their object was solely to preserve and maintain their former rights, which they believed they might justly claim as subjects of the British empire, and which were guaranteed to them by their ancient charters. “So far from promoting innovations,” say they, “we have only opposed them; and can be charged with no offence, unless it be, to receive injuries and to be sensible of them. Feeling as men and thinking as subjects.

in the manner we do, silence would be disloyalty. By giving this information, we do all in our power to promote the great object of the royal care for us, the tranquillity of government and the welfare of the people. Had we been permitted to enjoy in quiet the inheritance left us by our fathers, we should, at this time, have been peaceably, cheerfully, and usefully employed in recommending our selves, by every testimony of devotion to his majesty, and of veneration to the state from which we derive our origin."

In May, 1775, the continental congress met again at Philadelphia; and Mr. Paine was one of the five delegates chosen to attend from Massachusetts. He was also elected a deputy from the town of Taunton to the provincial congress, which sat at Concord, in October, 1774; and again in February, March, and April, 1775. It is evident he could not have attended both the continental and provincial congresses, during the whole of the sessions. In the latter, he was present a part of the time, and was one of the committee, in February, 1775, to consider the state of the province—but, in May, he again took his seat in the continental congress. These several appointments, however, afford unequivocal proof of the high sense the citizens of Taunton, and the members of the provincial assembly, by whom deputies to the continental congress were elected, had of his patriotism and talents.

The measures adopted by the congress of this province, at this juncture, were not only important to the safety of Massachusetts, but were designed and calculated to have an effect favourable to the cause of liberty throughout the colonies. It was recommended to the people of the province to arm in defence of their violated rights; and an appeal was made to the other colonies, urging them to come forward, and to act in opposition to the arbitrary claims and menaces of the British administration.

Such was the state of the country; hostilities having actually commenced, the tone of parliament raised, being rather threatening than conciliatory, and troops pouring into the country from England, when the second congress assembled at Philadelphia, in May, 1775. The attention of this honourable and patriotic body was early engaged by the communications from the provincial congress of Massachusetts, stating the sufferings of the people, the effects of the battle of Lexington and Concord, and the threatening attitude of the British troops in Boston, under the command of Governor Gage. One of the documents thus communicated, was a spirited address to the people of England; which the continental congress

so approved, that they ordered it to be published. Mr. Paine was one of the committee, in the provincial assembly, for considering the state of the country, and probably the principal agent in preparing it.

Early in this session, it was proposed to appoint a general fast, on account of the troubles and dangers of the country. Mr. Paine was one of the committee who prepared the proclamation for this purpose. He was also appointed chairman of a committee to introduce the manufacture of saltpetre, and was indefatigable in his attention to this subject. He consulted chemists, wrote to many influential characters in different parts of the country, and engaged people in various towns throughout the provinces, to embark in the manufacture of this article. Their experiments were very successful in many places, and were highly beneficial to the country. During this session of congress, he was appointed one of a committee for encouraging the manufacture of cannon. In this business he was also active and persevering; and his services were very important in obtaining a supply for the army, in this and the following year.

In the autumn of this year, he was deputed, with two other members of congress, to visit our army, on the northern frontier, under the command of General Schuyler. They were clothed with unlimited powers, as to the increase, plans, and destination of the troops in that quarter. This commission, which is an evidence of the confidence reposed in the committee, for talents, prudence, and decision, was discharged to the entire satisfaction of congress. Soon after this he was appointed chairman of a committee to make contracts for muskets and bayonets, and for encouraging the manufacture of fire-arms.

The representatives of the people of Massachusetts, having been advised by the continental congress to form a government, as similar to their former one as circumstances would permit, accordingly five of their most learned and eminent lawyers were appointed to be justices of the superior court of judicature, for the province. Of this court Mr. Paine was appointed one of the associates; but considering the situation which he then held, as rendering equal service to his country, he declined the office. In December, 1775, he was again chosen a delegate to the continental congress.

In the month of April, 1776, he was appointed one of a committee for procuring more cannon for the army. In June, he, with Mr. Rutledge and Mr. Jefferson, was desired to report rules for the

conduct of congress in debate ; in the same month he was appointed, with others, to inquire into the causes of the miscarriages in Canada ; and on the fourth day of July, when the Declaration of the Independence of the colonies was made and published to the world, he was present and gave his vote in favour of the instrument, to which he afterwards affixed his name.

In December, 1776, the situation of the continental congress was extremely critical and perilous. The British army, consisting of six thousand and upwards, was making rapid advances through New Jersey towards the city of Philadelphia. The American troops, under Washington, did not exceed two thousand five hundred ; and little assistance was to be had from the militia in the vicinity. The power of the enemy deterred many from open opposition, and neutralized a great portion of the people in that part of the country. The judicious and resolute conduct of Washington, at this time, is well known. The enemy were checked in their progress, and prevented from taking possession of Philadelphia. The alarm however was so great, that congress removed to Baltimore ; but continued firm in their purpose, amidst all the dangers and difficulties which surrounded them.

The reputation of Mr. Paine, for zeal in the cause of liberty, and for talents and activity suited to the great concerns of the country, was now as high as that of any man in the state. He acted from principle, and was fully persuaded of the justice of the cause in which his country had engaged. He was one of those who never wavered in the cause thus deliberately adopted. And when difficulties increased, he was the more resolute and active. He was never, indeed, very conciliatory in his deportment. There was a severity as well as frankness in his manner, which sometimes, unjustly, made him enemies. But he was intelligent, faithful to the trust reposed in him, and unwearied in his efforts to be useful ; and he possessed a great portion of that sound, discriminating judgment, and practical wisdom, which are generally of more value than a talent for ingenious theories, without a faculty to carry into execution.

Mr. Paine was again elected a delegate to the continental congress, for the years 1777 and 1778. For a part of this period, also, he filled some of the highest offices in the government of Massachusetts. In June, 1777, he was a member of the house of representatives, and a part of the session acted as speaker. In the course of this year he was appointed attorney-general, by the una-

nimous vote of the council and house of representatives. In 1778, he was one of a committee, on the part of Massachusetts, to meet others from the northern states, in New Haven, to regulate the price of labour, provisions, manufactures, &c. This was a period of great embarrassment and perplexity in the country. The paper money, which had been issued to pay the army and meet the expenses necessary to prosecute the war, had depreciated to one-half or one-fourth its nominal value; and the difficulty was increasing. The government could not command specie to pay their bills: they had, of course, no fixed or certain value. The articles of living were greatly advanced, compared with the real value of the currency. The soldiers complained: they were unable to support their families. Nor could new recruits be raised, while the currency of the government was at so low an estimation. Many statesmen were opposed to any interference on the part of government; and contended that the evil would soon remedy itself, and that laws on the subject would be without effect. Others who felt for the sufferings of the soldiers, and believed it impossible to enlist new troops, unless some measures were adopted to prevent the evil, and do justice to the army, were in favour of applying legislative aid. Mr. Paine was among the latter. A law passed in Massachusetts soon after, to prevent oppression and monopoly; and to fix the price of the necessary articles of living, in reference to which the soldiers should have their pay regulated; and as the paper money became less valuable, they were allowed a proportionably greater sum, so as not to suffer by its depreciation.

He was a member of the legislature of Massachusetts, in February, 1778, and one of a committee, of that assembly, for preparing a form of civil government or constitution for the state; and is reported to have been the principal agent in preparing that instrument. It was not considered sufficiently explicit by the people, in securing their political rights; and was rejected by a large majority of the citizens.

In January, 1779, he was chosen one of the executive council; by which, together with his former appointments, the whole of his time was occupied in public business. The council was then almost constantly in session; and the duties of his legal office were likewise arduous, and required much attention. In the course of this year he was also elected a delegate to the convention, called to form a constitution for the commonwealth: and was one of the very respectable committee, which prepared and reported the excellent

instrument, adopted by the people in 1780; and which is still the happy frame of the government of Massachusetts.

In the month of October, in this year, the government was organized agreeably to the provisions and principles of this constitution. Mr. Paine was early appointed attorney-general of the commonwealth; and continued in that office until 1790, when he accepted a seat on the bench of the supreme judicial court. This appointment had been offered him in 1782, but he had declined it at that time, because the salary was insufficient to support his numerous family, and all the fortune he had previously acquired was sacrificed by the neglect that had arisen from his long and active career in the public service.

Mr. Paine discharged the arduous duties of the office of attorney-general with singular fidelity and great legal ability: and whatever appearance there might be in his deportment of severity or harshness, it is well known to his particular acquaintance, that he possessed a great portion of the kind and humane feelings in his character. He was charitable in his judgment of others, and compassionate towards the afflicted and unfortunate. But of the habitually and obstinately vicious and dissolute, he was wont to speak with much indignation and severity. It has been pretended, that he was unkind and unfeeling as a parent. Never was there a more unfounded charge.

He held the office of judge of the supreme judicial court, till 1804, when he had attained the age of *seventy-three years*. He was too infirm to go the circuits of these courts, which was a journey of several hundred miles. And his great deafness was also thought to be a disqualification for the office. He discharged, however, the important duties of this highly honourable office, for fourteen years, with great impartiality and fidelity.

He was a decided friend to the constitution of the United States, which he supported both by his writings and conversations. He employed his influence in favour of the administrations of Washington and Adams; and during the critical periods of 1794 and 1799, he advocated their measures of government, which he believed essential to the interests of his country, with great zeal, energy, and abilities.

On resigning the office of judge, he was elected a counsellor of the commonwealth for 1804. Subsequently to this period, and even till his death, he retained his mental faculties in great vigour. He was intelligent, inquisitive, and judicious. His memory was remark-

ably lively and powerful; and he would relate, with much satisfaction, the scenes through which he passed, connected both with the dangers and prosperity of his country. In conversation with old or young, he was sprightly, communicative, and instructive. He was prone to indulge in repartee and wit; and while he allowed himself a playful severity towards others, he was not offended in being the subject of similar raillery.

Judge Paine possessed much of the peculiar spirit of the early settlers of New England. He was a patron of all useful learning, and held a high rank among the literary men of our country. He was one of the founders of the American Academy, established in Massachusetts in 1780, and was a counsellor of that learned society till his death. He received also the honorary degree of doctor of laws from the university at Cambridge.

He was a decided, firm believer in the Christian revelation. He had studied its evidences, its spirit, and its tendency, and was fully convinced of its divine origin. He received it as a system of moral truth and righteousness given by God for the instruction, reformation, consolation, and happiness of man. If, however, it did not make us virtuous, benevolent, and holy, he believed it would not eventually benefit us; but he laid little stress on speculative opinions, which have so often been, unhappily, the occasion of bitter and disreputable contentions among professors of Christianity.

Judge Paine died on the 11th of May, 1814, after having attained the age of 84 years. We will conclude this imperfect memoir, by an extract from a sermon, delivered on the occasion, by the Rev. Dr. McKean, before the society of which the Judge had long been a distinguished and respected member. "His intellectual, moral, and religious character, were strongly marked with sterling integrity. Uprightness eminently directed his usual course of domestic and social duty. Justice was the constant aim of his official service. Of regular and temperate habits, and cheerful temper, he was spared to a good old age. He enjoyed his faculties unimpaired to the last; retained his interest in his friends and country; its religious, civil, and literary institutions; rejoiced in its good, lamented its delusions; was impressed with its dangers, and prayed for its peace."

ELBRIDGE GERRY.

ELBRIDGE GERRY, the fifth signer on the Declaration of Independence, and also a delegate from the province of Massachusetts Bay, was born in the small town of Marblehead, in that colony, in the month of July, 1744. Of his family and early history, we have been able to obtain but few particulars, and, indeed, in recording the events of his life, important and interesting as they are, we have greatly to regret the difficulty of obtaining materials, beyond the common and temporary records which are open to the public inspection.

The father of Mr. Gerry is said to have been a respectable merchant of Marblehead, and to have acquired a considerable fortune by his commercial pursuits. His son was placed at Harvard University, where he passed through the usual collegiate studies with much literary reputation and success; he there received the degree of bachelor of arts, in the year 1762. After leaving college, he turned his attention to that line of life in which his father's prosperity seemed to hold out the greatest inducements to a young and enterprising mind. He plunged at once into the most active pursuits of commerce; and, while yet young in business and in years, he had acquired a considerable estate and a very high standing at Marblehead.

These circumstances, of course, soon pointed him out for public office, and, in fact, his own inclinations seem to have been turned at an early period to the political concerns of the province, which were daily becoming more and more serious and important. On the twenty-sixth of May, 1773, he took his seat in the general court of Massachusetts Bay, as the representative of his native town, and he became, from that moment, one of the most zealous political leaders of our country. The time, indeed, was one of the most extreme interest; and the period had arrived in the controversy between Great Britain and her colonies, when the province was called on to take a leading part, which demanded unusual firmness and effort.



ELMWOOD FORMERLY THE RES. OF ELBRIDGE GERRY CAMBRIDGE MAS.
Now Res. of J. A. Russell Esq. 1. the F. 1877

On the twenty-eighth of May, two days after Mr. Gerry had taken his seat in the house, Mr. Samuel Adams brought forward the celebrated resolutions which we have noticed in his life, to appoint a standing committee of correspondence and inquiry, whose business it should be to obtain the most early and authentic intelligence, of all such acts and resolutions of the British parliament, or proceedings of administration as may relate to, or affect the British colonies in America; and to keep up and maintain, a correspondence and communication with our sister colonies, respecting these important considerations; and the result of such their proceedings, from time to time to lay before the house.

Of this committee, Mr. Gerry was chosen a member, a proof of the high standing and character he had attained even before he entered the legislature. In all the proceedings of the committee he took an active and prominent part, and as his capacious mind gradually unfolded its powers, his assiduity and attention to business rendered him a most useful member of the legislature.

In the month of June, we find Mr. Gerry warmly supporting Mr. Adams, in the measures he brought forward and pursued towards Governor Hutchinson, on receiving from Dr. Franklin the celebrated letters written to England, with the evident intention of increasing the bitter feelings which there existed against the province. He also zealously united himself with that bold and distinguished patriot in most of those resolute measures, which he introduced about this period, and which resulted in the overthrow of the royal government of the province. To trace these various subjects, would be to write the history of Massachusetts rather than the life of Mr. Gerry: for although he was a principal mover in them, it was in union with other patriots and with the general co-operation of the whole body of the people. Through the eventful scenes which marked the year 1774, the impeachment of the judges, the opposition to the importation of tea, and to the Boston port bill, the establishment of the system of non-intercourse, and the arrangement of a close correspondence with the other colonies, he was active among the foremost. He also took a decided part in promoting the meetings which were held in all the large counties of the province, composed of committees from every town, to express their sentiments on the alarming state of the country, and to consult for the liberties and welfare of the people.

In the month of August, General Gage, who had succeeded Governor Hutchinson in the administration of the colony, had issued

precepts for the choice of representatives to meet at Salem, the first week in October. But afterwards, in consequence of the county conventions, which proposed a provincial congress, and advised that they should not acknowledge or act with "Mandamus" counsellors, he declared, by proclamation, that they were excused from assembling. On the recommendation of these county meetings, however, delegates were chosen from all the towns; and assembled at Salem on the seventh of October. Neither the governor nor the council appeared to administer the usual oaths: and had they attended with that view, the delegates, no doubt, would have declined taking them. They formed themselves into a provincial congress; and, in this body, Mr. Gerry was one of the most active and efficient members.

This assembly was composed of patriotic and resolute men, prepared for any measure which should be deemed wise or proper for the restoration or defence of their violated rights. They continued to meet by adjournments from time to time during the month, and to consult and adopt measures for the defence and safety of the province. They declared the counsellors appointed by the king and ministry unconstitutional; they recommended the people to refrain, as much as possible, from purchasing imported articles and goods of every description; the constables and collectors of taxes were ordered not to pay any sums to the treasurer of the province, who had then become less opposed to the policy of ministers, and would be likely to pay over the same to the officers of the crown; but to retain it, and to pay it afterwards, as the congress might direct. An estimate was made of the sum necessary to be expended in providing ordnance and military stores, in addition to the quantity then belonging to the province, and the estimated amount was twenty thousand pounds.

They solemnly declared, that, in their opinion, nothing, except slavery, was more to be deprecated than hostilities with Great Britain; and they proceeded to choose an executive committee, with authority to call out, assemble, and put in military array, any portion of the militia of the province, for the protection of the citizens.

On the first of February following, a second provincial congress met at Cambridge, to which Mr. Gerry was also a delegate. This body, as did the former, made a public appeal to the patriotism of the people. Much of the business of the congress, and indeed of all the legislative bodies in those days, was prepared and arranged by committees. Of these, Mr. Gerry was a principal member, and

we find him constantly associated in them, with the most distinguished citizens of the province. The two great committees were those of safety and supplies; and in both of them, he was very active. In the spring of 1775, indeed, this activity became absolutely necessary. There was a strong apprehension that troops would be sent to places where military stores were deposited, to remove them to the capital. The committee of safety, therefore, selected several persons to give notice of any movements of the British from Boston into the country; and placed a watch at Concord and at Worcester, where provisions and military articles were chiefly collected, for the purpose of giving an alarm to the surrounding country, on the report of any such expedition. Some of the cannon were ordered from Concord to Groton, and some were removed from Worcester to Leicester. The committee for supplies, chosen some time before, was also engaged in procuring powder, fire-arms, bayonets, and flints, as well as various articles of provisions, to be in readiness for a large body of the militia, should it be necessary to call them out for the defence of the province. Scarcely had these measures been adopted, when the bloody scenes of Lexington and Concord occurred, and the war which had been so long dreaded, but which also had been so long inevitable, actually commenced. About this period, a circumstance occurred with regard to the subject of our memoir, which, as it has been preserved by tradition, is worthy of insertion. The committees of safety and supplies had been sitting at Cambridge on the day preceding the battle of Lexington, and had adjourned before night; but Mr. Gerry, with Colonels Lee and Orne, being at a distance from their houses, determined to remain there till the next morning. In the middle of the night, they were alarmed by the approach of the British troops, on their march to Concord. When the main body came opposite the house in which these important committees had been sitting, a file of soldiers was unexpectedly detached and ordered to surround the house, for the purpose of taking prisoners such of the committee as might be there. With great difficulty and good fortune, these gentlemen escaped with scarcely any covering but their shirts, and concealed themselves till the search was over. They afterwards returned to spread the alarm among the citizens, and impel them to the noble resistance of that memorable day. Mr. Gerry continued for some time an active and influential member of these committees, and was the intimate friend and confidant of the revered General Warren.

On the night preceding that gentleman's departure for Bunker Hill, the two patriots retired *to the same bed*; the night was passed in a restless anxiety for their country, and the last words of this martyred hero before his departure for the "awful heights," were addressed to his heart's best friend, with a melancholy presentiment of his fate.

Dulce et decorum est,
Pro patria mori ———

Mr. Gerry attended his duty that day in the provincial congress, then sitting in Watertown, and General Warren followed where his duty called him, to the memorable heights of Bunker, where he fell a martyr in the cause of liberty.

Mr. Gerry was, some time after this, appointed by the provincial legislature, judge of the court of admiralty, but declined the office. On a new election, on the eighteenth of January, 1776, for delegates to serve in the continental congress, then in session at Philadelphia, he was chosen in company with Hancock, the Adamses, and Paine, and took his seat in that venerable body, on the ninth of February following. During the spring of this year, we find Mr. Gerry on several important committees; on the standing committee for superintending the treasury, certainly at that period the most laborious and important of all the duties of congress; on that for reporting the best ways and means of supplying the army in Canada with provisions and necessaries; on those appointed to inquire and report the best ways and means of raising the necessary supplies to defray the expenses of the war for the present year, over and above the emission of bills of credit; to devise the ways and means for raising ten millions of dollars; to repair to head quarters near New York, and inquire into the state of the army, and the best means of supplying their wants; to form plans for the arrangement of the treasury department, and the better conducting the executive business of congress, by boards composed of persons not members of that body; and on several others requiring much personal attention, resource, and promptness in the transaction of business. He brought very pointedly before the house, the subject of regulating and restricting the sutlers who supplied the army. These, with various other acts equally honourable, among which we are to include the signature of the Declaration of Independence, distinguished the first term of Mr. Gerry's public service in congress, which closed with the year 1776.

Before this term, however, had expired, his fellow citizens, grati-

fied with the course he had pursued, had again elected him, and looking forward with bolder views, had given him instructions in which the latent principles of those of the preceding year were fully developed. With these credentials, he took his seat in congress a second time, on the ninth of January, 1777, and resumed, or rather continued the active duties of the preceding year. We find him a member of various committees. On the fifth of July, 1777, congress resolved that a new body, to be styled "the committee of commerce," should be appointed, to consist of five members; that this committee should be vested with the powers granted to the secret committee, and they directed the members of the late secret committee to settle and close their accounts, and transfer the balances to the committee of commerce. Of this body Mr. Gerry was a member; it was a post, indeed, for which his previous employments seemed peculiarly to adapt him. A few weeks after this appointment, he was suddenly called on to leave Philadelphia, and repair to the main army under General Washington, where some difficulties had arisen from improper management in the department of the commissary; Mr. Livingston and Mr. Clymer were associated with him, and congress vested them with full authority to make whatever provision the exigency and importance of the case might demand.

It would, however, be vain to attempt to trace Mr. Gerry through his various public employments whilst in congress. We have but little left even to point out what they were, and we must remain content with the few and imperfect accounts with which the journals supply us. In the disastrous autumn and winter of 1777, he followed the fortunes of congress, driven as it was from Philadelphia to Lancaster, and from Lancaster to Yorktown. He took part in the interesting debates which so long engaged the time of the house, in settling the articles of confederation between the different states, and exerted all his political and personal influence to effect a measure which the critical situation of the country would not allow longer to be delayed. He strongly opposed the plan which was introduced about this time, of depriving the small states of their equal representation in congress, and allowing votes in proportion to population; he was too well aware that such a step was fraught with innumerable evils on the ground of policy, if no regard even was to be paid to the fair claims of equal and undisputed sovereignty.

In November, 1777, we find Mr. Gerry on a committee, reporting a plan for the operations of the northern army under General Gates,

which led the way to those measures that terminated in the glorious defeat and capture of Burgoyne.

As the winter approached, the condition of the army became a subject of great interest, and demanded immediate attention. Notwithstanding the large quantities of clothing which had seasonably been ordered from Europe for the armies of the United States, such had been the obstructions, from a variety of causes, that an adequate supply had not been imported, and it had become necessary that immediate provision should be made to defend the troops from the inclemency of the winter, and to prevent future disappointments of the like nature. With this view, a resolution was brought forward, and warmly supported by Mr. Gerry, recommending the subject to the different states; urging them to procure, in addition to the allowances of clothing heretofore made by congress, supplies of blankets, shoes, stockings, shirts, and other clothing for the comfortable subsistence of the officers and soldiers of their respective battalions. He seems, indeed, to have particularly interested himself in the situation of the army; for we find him at this period on a committee appointed to devise ways and means for providing a sufficient supply of provisions for the army; on another, to inquire in what manner the department of the clothier-general had been executed, and report such regulations as appeared necessary to be adopted for the better execution of that office; and finally, instructed by a unanimous resolution, with Mr. Morris and Mr. Jones, forthwith to repair to the army, and, in a private confidential consultation with General Washington, to consider of the best and most practicable means for carrying on a winter's campaign with vigour and success, an object which congress had much at heart; and on such consultation, with the concurrence of General Washington, to direct every measure which circumstances required for promoting the public service.

On the first of January, 1778, Mr. Gerry took his seat a third time in congress, having been elected by the general assembly on the fourth of December preceding. He had scarcely appeared, when we find him taking a prominent part in the affairs which arose out of the defeat and capitulation of the British army at Saratoga; a measure that had been the result of a plan of operations, in forming which, as we have already seen, he had been very zealous and efficient. The terms of the convention had been as favourable and honourable as the vanquished could expect; the conduct of the American army to the unfortunate British troops had been marked with

generosity and kindness; and while awaiting the time of embarkation, every thing was done for them that could have been reasonably demanded. On some frivolous complaint, however, made by a few officers, General Burgoyne chose to accuse the American government with a violation of the convention, and in a letter to General Gates, on the fourteenth of November, went so far as to declare that the public faith was broken. Mr. Gerry plainly saw the consequences to which such false scruples would lead; and that much of the glory and utility of an event which had secured the hopes of America with foreign nations, would be lost for ever. He therefore warmly advocated a decisive course, and fortunately for the country it was adopted; a resolution was passed, that the embarkation of Lieutenant-General Burgoyne, and the troops under his command, should be suspended till a distinct and explicit ratification of the convention of Saratoga should be properly notified by the court of Great Britain. The subsequent conduct of the British government, temporizing and evasive, proved at once the justice and policy of these measures.

During the year 1778, Mr. Gerry renewed his exertions to improve the state and conduct of the commissary and hospital departments of the army; two branches of the military art, of paramount importance to the common soldiers, but greatly liable to neglect and abuse. He also exerted all his efforts to obtain an allowance for the soldiers, after their term of service had expired, not only those who were citizens of the United States, but the foreigners who had united their fortunes with them. No officer, however high, escaped his vigilant inquiries into the performance of his duties; every act of oppression or misconduct which came to his knowledge was brought promptly before congress, and fairly and fully investigated. The military committees of congress found him an active member, or a ready coadjutor, and the soldiers knew him as their steady advocate and friend.

In addition to his services on military affairs, Mr. Gerry, in July, was appointed on a committee to which was referred a plan for the establishment of a new treasury board or department; in August, we find him, with several other members, directed to examine the state of the money and finances of the country, and make report relative to them from time to time; and in September, a report of the treasury board was referred to him and two other delegates, relating to a confederal fund, and the mode of issuing and accounting for loan-office certificates. It was in the following spring, that

the difficulties with regard to the American ministers and commissioners in Europe, which have been alluded to in the life of John Adams, arose, and a grand committee was appointed by congress, consisting of one delegate from every state, with directions to take the subject into full consideration. This they did, and, as appears by their report, with no undecided spirit. Whatever may have been the evils complained of, they seem to have probed them deeply, and advised the strongest course for their immediate remedy. They declared it as their opinion to congress, that ministers plenipotentiary were only necessary at that time at the courts of Versailles and Madrid; that in the course of their examination and inquiry, they found many complaints against the commissioners, and the political and commercial agency of Mr. Deane; which complaints, with the evidence in support of them, they delivered over and referred to the decision of the house. That suspicions and animosities had arisen among the commissioners themselves, which might be highly prejudicial to the honour and interests of the United States. They advised, therefore, that the appointments of the commissioners should be vacated, and new appointments made; that there should be but one plenipotentiary minister or commissioner for the United States at a foreign court; that no plenipotentiary minister or commissioner for the United States, while he acted as such, should exercise any other public office; and that no person should be appointed plenipotentiary minister or commissioner for the United States, who was not a citizen of them, and who had not a fixed and permanent interest therein. This report gave rise to a long and warm debate, in which Mr. Gerry took a very leading part, anxious as he was to check, in the outset, a line of conduct which could not but embarrass us in our new relations, and might ultimately prove injurious to the honour and interests of the United States.

For two or three months succeeding this period, Mr. Gerry appears to have been absent from the house, probably called away by the situation of his private affairs, which his long and continued attention to public duties had considerably deranged. In the summer, however, he returned; and we find him almost immediately at his favourite topic, the assistance of the army. He was appointed chairman of a committee on the subject, and soon brought in a set of honourable and useful resolutions, which, being adopted, infused new spirit into the army, and were no unimportant cause of our subsequent success.

He was also, about this time, appointed with Mr. Morris and

Mr. Dickinson, to prepare a letter to the several states, mentioning to them the evident intentions of the British to commence the ensuing campaign with new vigour, and urging them to strong efforts. "It is proper you should be informed," say they, "that our allies were much concerned to find, that preparations were not earlier made for a vigorous campaign. The exertions of America are necessary to obtain the great objects of the alliance, her liberty, sovereignty, and independence."

On the fourteenth of October, 1779, Mr. Gerry offered to congress a resolution, which was immediately adopted, relative to the late Indian wars. For the permanent security of the frontier inhabitants, it was resolved, in the year 1779, to carry a decisive expedition into the Indian country. A considerable body of continental troops was selected for this purpose, and put under the command of General Sullivan, who won a signal victory over them; and our frontier settlements were restored to at least a comparative tranquillity.

About this period, Mr. Gerry offered as a resolution, that "as it might be highly injurious to the interests of these United States, to permit candidates for public offices to vote in, or otherwise influence their own elections; that congress will not appoint any member thereof during the time of his sitting, or within six months after he shall have been in congress, to any office under the said states, for which he, or any other for his benefit, may receive any salary, fees, or other emolument." This he twice brought before the house, and urged it with all the strength of his talents, but without success.

In the year 1780, Mr. Gerry retired from congress, in which he had served five years, with no small personal inconvenience, and greatly to the injury of his private affairs. In the most trying moments his courage and constancy remained unshaken, and his determination never for a moment wavered, to protect the independence and maintain the freedom of his country at every hazard. To the amelioration and protection of its safeguard, the army, his zealous, his unwearied efforts were constantly exerted; during the whole period that he sat in the revolutionary congress, he received and deserved the emphatic title of the soldier's friend. General Washington depended on no one with more confidence for the promotion of his plans than on Mr. Gerry, and his confidence was never disappointed. In almost every principal measure relative to the military affairs of the times, he was conspicuous and useful; he even indeed exceeded the limits of his duty, perhaps his prudence

as a statesman; for, when called accidentally to the army, he went so far as to enter its ranks. He solicited employment from General Washington, and was allowed by him to exercise a command during the period he remained with the army, as a volunteer.

Another subject by which Mr. Gerry's congressional career is distinguished, at the period of which we speak, was his earnest attention to the public treasury; and this is indeed fully proved by the facts which have been already enumerated. On all subjects of finance, he was able and eminent. His clear and penetrating mind could unravel the perplexities of a system, more confused and entangled than any other which has ever fallen within our knowledge, and his invention and ingenuity were in constant demand, to develop or apply the resources of the country. In a letter written several years since by Mr. Adams, the late president of the United States, he bears public testimony to the skill of Mr. Gerry in these subjects, and bestows on him the praise of originating, while a member of the committee of finance, the most valuable provisions of the present system.

The state of Massachusetts would not, however, long permit the absence of Mr. Gerry from the theatre of his well-earned fame. On the twenty-seventh of June, 1783, by a joint ballot of both houses of assembly, he was elected, and on the fourteenth of August following, again took his seat as a delegate from that state in congress, where he recommenced the active career of public usefulness which he had pursued at a preceding period. Scarcely, however, had he resumed his duties, when a subject in which he had formerly taken so deep an interest, was again brought to his attention, and in a manner not a little embarrassing. This subject was the compensation of the troops. Congress, in the year 1780, resolved, that the officers of the army, who should continue therein during the war, should be entitled to half pay for life; and at the same time resolved, that all such as should retire therefrom, in consequence of the new arrangement which was then ordered to take place, should be entitled to the same benefit; of this half pay, a commutation was afterwards proposed, by which five years' whole pay was granted in lieu of the half pay. A measure of this nature, so far from being obnoxious to censure, would seem to be a sacred duty; a small return, indeed, to those whose services were beyond price, since no price could have induced an army to endure the fatigues, the disasters, and the neglected sufferings of the American soldiery, had they not been inspired with sentiments which raised them far above a

mercenary band. By some of the states, however, the course adopted by congress was regarded as extravagant and partial; wearied, perhaps, and exhausted by the prolonged expenses of the war, they were angry that peace did not bring with it the entire relaxation of their burdens; and forgetful of the ills from which they had been saved, they regarded a pension to the disbanded troops as a payment without equivalent. In these opinions, the state of Massachusetts took the lead, and had addressed a letter to congress, in which they were freely expressed. It was referred to a committee, who made report thereon; it was warmly and zealously debated; and it was again referred to a committee. In the mean time, Mr. Gerry had become a member of the house; his former situation, his peculiar knowledge and interest in the subject, and the section of the country whence he came, all made it desirable that his views should be known. He was accordingly placed on a committee with Mr. Huntingdon and Mr. Foster, and the matter was again examined anew. On the twenty-fifth of September, their report was taken up by the house, and agreed to by a considerable majority. In it they replied firmly, and with much propriety, to the observations made by the state of Massachusetts. Without dwelling on the reasonableness and justice of the provision itself, they observed that it had been granted at a critical period of the war, when our finances were embarrassed, our credit impaired, our army distressed, the officers discontented, and resignations so general, as to threaten the dissolution of a corps on whose military experience the public safety, in the judgment of the commander-in-chief, greatly depended. No doubt could be entertained but that congress were of opinion that this was the only provision, by means of which they could establish a military force, sufficient to protect the country against the dangers that surrounded it; and although it was to be regretted that such a provision had given uneasiness to the state of Massachusetts, yet its propriety was proved by experience, and its result was that brilliant success which had hastened the blessings of an honourable peace.

From this period, during the remainder of the year, we find Mr. Gerry's attention directed to all the chief objects in which the policy of the country was involved. The arrangement of several points of foreign negotiation; the permanent residence of congress; the payment and discharge of the gallant foreigners who had joined our army during the revolution; the settlement of bounty lands on the discharged soldiery; and the formation of treaties with the Indians.

. During the year 1784, Mr. Gerry continued to be a member of congress. In March, he appears as chairman of a committee, on which were Mr. Jefferson, and other distinguished gentlemen, to whom were referred several points of our foreign relations. Shortly afterwards, he was appointed a member of the grand committee instructed to revise the institution of the treasury department, and report whatever alterations they should think necessary. This task proved one of immense labour and intricacy, and is the subject of many long reports, which, however instructive to a financier, would afford but little interest to a general reader. More pleasure will be felt by all, in learning the efforts of Mr. Gerry to befriend the most disinterested of her benefactors, Baron Steuben. At the close of the war, he had addressed a letter to congress, enclosing his resignation, and on his so doing, a committee had been appointed, who proposed to give him, as a compensation for his services, thirteen thousand dollars, exclusive of his pay. Mr. Gerry, however, thought that to such a man, an act of more prompt liberality was due, and he proposed, in lieu of the report of the committee, the following resolution: "Resolved, That the superintendant of finance be directed to issue securities, bearing an annual interest of six per cent., and payable as other debts due to the army, to the said Major-General Baron Steuben, to the amount of forty-five thousand dollars, in full of all sums due to him for pay, arrearages of pay, rations, subsistence, half pay or commutation, and of all other demands for services and sacrifices in the cause of the United States." This resolution, however, was not adopted; but a barren vote of thanks was passed some days after, leaving the payment of a debt of gratitude and honour "to be liquidated by the proper officers." Indignant at such a proceeding, Mr. Gerry renewed his efforts, supported by Mr. Jefferson, that the sum of ten thousand dollars should be presented to the noble foreigner: but this also was rejected.

On the thirtieth of April, Mr. Gerry presented a report to congress, of much importance. It related to the commercial regulations of the states, and to the power to be exercised by that body on such matters; a subject which, since the termination of the war, had become highly interesting. He proposed that the states should vest in congress, for fifteen years, a power to prohibit imports or exports by any nation, not in alliance with us; and a resolution to that effect was adopted.

On the sixth of December, 1784, Mr. Gerry took his seat in the old congress, for the last term during which he served in that vene-

rable body, but he held the same prominent station, and took the same active part in its proceedings, which he had done in busier times. He served on a committee for expediting the settlement of public accounts; for adjusting the claims of Virginia against the United States; for remedying the irregular representation of the states in congress; and many others of much dignity and honour. Before he left this theatre of his reputation, he had also the satisfaction to find that one measure to which he had at a former period devoted much of his attention, and which he still had very seriously at heart, had attracted the favourable notice of those whom he represented, although he had not been able to prevail on congress itself to coincide in its views. It may be recollected that five years before, he had offered a resolution whose object was to prevent the appointment of members of congress to any office under the states, from which they were to receive emoluments. He had since urged it on the house, but had been twice defeated. Since then, his hopes of its passage had laid dormant, until his own state, convinced of the propriety of the measure, determined to sanction the views of her delegate by her approbation, and to aid them by her influence. She accordingly took up the subject with spirit, and addressed a series of instructions on the subject to her representatives.

Thus closed, in September, 1785, the political career of Mr. Gerry in the old revolutionary congress. In it he had served through seasons of various difficulty and suffering, maintaining in them all the same character with which he had entered on political life—that of an active and resolute statesman. Among men who are now regarded as something above the race of ordinary politicians, he took an equal stand at the first, and preserved it to the last. He retired with the esteem and affection of those with whom he had served, and by whom he had been chosen; and fatigued with the long series of unceasing exertion, he sought in the calmer occupations of rural leisure, that repose which for many years had been unknown to him. He fixed his residence at Cambridge, a village a few miles from Boston.

To a man, however, of active disposition, the quiet of retirement soon loses much of its delight, unless age or illness has quenched its fires. When, therefore, his country again demanded his services, Mr. Gerry was not found deaf to her call. For some time past, he looked upon her situation with anxiety and interest. With the war had terminated many of those strong ties which of necessity united the states together. The distresses spread over the whole country

by so sudden a revolution; the jealousies raised or increased by a thousand circumstances of interest or feeling; the poverty which in the course of a long war had been diffused through the nation; the seizure and destruction of property, the annihilation of commerce, and the entire want of national credit; all tended to impress on the public mind a general dissatisfaction with the existing government. From this apparent failure in their expectations of an immediate increase of political happiness, the lovers of liberty and independence began to be less sanguine in their hopes from the American revolution, and to fear that they had built a visionary fabric of government, on the fallacious ideas of public virtue; but that elasticity of the human mind which is nurtured by free institutions, kept them from desponding. By an exertion of those inherent principles of self-preservation which republics possess, a recurrence was had to the good sense of the people, for the rectification of fundamental disorders. While the country, free from foreign force and domestic violence, enjoyed tranquillity, a proposition was made by Virginia to all the other states, to meet in convention for the purpose of digesting a form of government equal to the exigencies of the Union. The first motion for this purpose was made by Mr. Madison: but the other states, convinced of the utility of the measure, gradually concurred in it; and it was at length agreed that a convention of delegates, to be appointed by the several states, should be held in the month of May, 1787, at Philadelphia, for the sole and express purpose of revising the articles of confederation, and reporting to congress, and the several legislatures, such alterations and provisions therein, as should, when agreed to in congress, and confirmed by the states, render the federal constitution adequate to the exigencies of government, and the preservation of the Union.

To this convention Mr. Gerry was appointed, as a representative of Massachusetts. Impressed with the necessity of a more energetic system than the old confederation, and governed by the republican principles in which he had been educated, he endeavoured to guard the new government from extremes which he considered equally dangerous. The propositions for introducing a new system, designated by some of its opponents as aristocratical and even monarchical, but which it scarcely seems proper to consider in so strong a light, found in him a strenuous opponent; and it is probable that the sternness of his republicanism contributed to the securing of many of the best features which the constitution contains. Still however, after all the alterations which he and the friends

who coincided in his views were able to obtain, there appeared to him features so objectionable and so dangerous to the rights of his constituents, that he manfully declined affixing his signature to the instrument. Lest, however, his views in so doing should be misrepresented, or not fully understood, he took an immediate opportunity to address a letter to his constituents on the subject. "It was painful for me," he observes, "on a subject of such national importance, to differ from the respectable members who signed the constitution. But, conceiving as I did, that the liberties of America were not secured by the system, it was my duty to oppose it.

"My principal objections to the plan are, that there is no adequate provision for a representation of the people; that they have no security for the right of election; that some of the powers of the legislature are ambiguous, and others indefinite and dangerous; that the executive is blended with, and will have an undue influence over the legislature; that the judicial department will be oppressive; that treaties of the highest importance may be formed by the president, with the advice of two-thirds of a quorum of the senate; and that the system is without the security of a bill of rights. These are objections which are not local, but apply equally to all the states."

The views of Mr. Gerry were not singular; they had been entertained by some of the most distinguished patriots and statesmen in other states; and in his own, they were very generally approved. When the constitution was submitted to the state convention, it was ratified only by a majority of nineteen voices, in an assembly of three hundred and sixty members, and to the ratification were appended various amendments, coinciding with the views of Mr. Gerry.

Although this would seem to be a sufficient justification of a manly course, which could have been dictated by no ideas of personal benefit to himself, but was rather opposed to them, it was not sufficient to save him from the attacks of party spirit. He was assailed immediately by the partisans of the day, and censured with all the illiberality and acrimony that hostile politics could suggest.

At the election for members of the first congress under the new constitution, the inhabitants of the district in which Mr. Gerry resided, chose him as their new representative, and under a new form of government he resumed that seat, and renewed those active services, which he had for so many years faithfully discharged under the old one. Neither the character nor extent of this memoir will permit us to enter into the minute detail of the various political

movements of Mr. Gerry, during the two terms that he served in congress. In the financial operations he continued always to take peculiar interest, and on such subjects was, perhaps, of all debaters in the house, the one who was listened to with the most confidence. The army, too, was not forgotten, for he never allowed an occasion to pass unused in which he could aid them in their difficulties, or redress their grievances. Fully sensible of the necessity and duty of mutual co-operation, he united cheerfully in carrying into effect that system, to which he had indeed been, in some degree, individually opposed, but which had received the approbation of his country; and he had not been long in congress, before he took occasion to make the manly and honourable declaration, "that the federal constitution having become the supreme law of the land, he conceived the salvation of the country depended on its being carried into effect." After serving four years in congress, he was again proposed as a delegate; but anxious to return to the enjoyments of domestic life, from which the new state of things had drawn him, he declined a re-election, and retired to his farm at Cambridge.

It was during this period of Mr. Gerry's retirement, that the aggressions on the rights and commerce of the United States were commenced by France. The citizen Genet made his singular progress through the country, and after an embassy unparalleled in the history of diplomacy; was recalled. General Pinckney was sent to France to negotiate, but was not received. American vessels were captured by French cruisers, wherever found. The French minister had endeavoured to interfere directly in the election of the chief executive magistrate. And in a word, every thing had been done to drive the nation into a violation of that neutrality which it had determined to support. It was in this state of things, that Mr. Adams was called to the presidential chair, and adopted that system with regard to our foreign relations, which has been briefly noticed in the preceding sketch of his life. Though keenly sensible of the indignities offered to his country, he was so fully impressed with the importance of peace, to its advancement and happiness, that, in his speech to congress, in June, 1797, he informed them, "that as he believed neither the honour nor the interest of the United States absolutely forbade the repetition of advances, for securing peace and friendship with France, he should institute a fresh attempt at negotiation." To give all the weight and solemnity that he could to this embassy, the president determined to select men, whose long services and acknowledged talents had made them illustrious at

home and abroad. His choice fell on Mr. Gerry, who was thus again drawn from retirement; General Pinckney, who had already been appointed an ambassador to France, and Mr. Marshall, the subsequently distinguished chief justice of the United States. These gentlemen were instructed to pursue peace and reconciliation by all means compatible with the honour and faith of the United States. On their arrival in Paris, the directory, under frivolous pretexts, delayed to accredit them, as the representatives of an independent nation. In this unacknowledged situation, they were addressed by persons, who, though not invested with formal authority, exhibited evidence of their being tools of government. In direct and explicit terms, they demanded a large sum of money from the United States, as the condition which must precede any negotiation, on the subsisting differences, between the two countries. To this degrading demand, the envoys returned a decided negative. The unofficial agents, nevertheless, urged them to comply, and enlarged on the immense power of France; and particularly insisted, that to her friendship alone America could look for safety. The envoys, after some time, refused to hold any further communication with these agents. Though not received in their public characters, they sent a letter to the French secretary of foreign relations, in which they entered into the explanations committed to them by their government, and illustrated, by facts, the uniform friendly disposition of the United States towards France. This effort failed, and every circumstance concurred to prove, that all further attempts would be equally useless. They nevertheless continued to wait events, with a patience that demonstrated their sincere desire to avert a rupture between the two countries. At length, however, in the spring of 1798, two of the envoys, Messrs. Pinckney and Marshall, were ordered to quit the territories of France; but Mr. Gerry was invited to remain and resume the negotiation which had been interrupted, and he consented to do so.

At the time, the course thus adopted by Mr. Gerry was censured by his political opponents. Yet calmly and dispassionately examined, it seems to be one dictated by prudence, and perfectly consistent with national and individual honour. Although the instructions to him and his colleagues had invested them with a separate as well as joint power to negotiate a treaty of peace, Mr. Gerry uniformly refused, after the departure of the other ministers, to enter into such a negotiation. He declared at once and distinctly, that his object in remaining was not to pursue those plans which could, and

if intended, ought to have been discussed by the whole embassy, but to promote, as far as his individual powers allowed, such other objects of his government as he might do without their aid. Altogether, this mission was one of the most unpleasant for the ministers, though most beneficial for the nation, in which our government has ever been engaged; for although it did not succeed in effecting a treaty, and was never even publicly acknowledged by the French ministry, yet it certainly opened the way for a termination of hostile feelings, and led eventually to the preservation of the peace of the country. That these ends were attained in no small degree by the prudence, judgment, and ability of Mr. Gerry, seems now to be generally admitted; but if it were not, it is proved by an authority so strong, that impartial history will not hesitate to award to him the merit to which he is fairly entitled. Speaking of his nomination on this embassy, the late president, Mr. Adams, has thus remarked:—"he was nominated and approved, and finally saved the peace of the nation, for he alone discovered and furnished the evidence that X. Y. and Z. were employed by Talleyrand; and he alone brought home the direct, formal, and official assurances, upon which the subsequent commission proceeded, and peace was made."

On his return from France, Mr. Gerry was supported by the republican party in Massachusetts for the office of governor, and defeated. Mr. Gerry subsequently declined being a candidate, notwithstanding the earnest solicitations of his political friends. He consented, however, to have his name placed on the electoral ticket of 1805, when the republicans, for the first time, succeeded.

From that period Mr. Gerry spent his time in the cultivation of his farm, and in correspondence with the first men of this country and Europe, with whom his active public life had connected him. The flagitious attack on the Chesapeake frigate, by the British ship of war *Leopard*, kindled again the same feelings which the murder at Lexington, in 1775, had first warmed in his bosom; with the alacrity of youth he hastened to preside at a large meeting of his fellow citizens in Boston, collected from that and the neighbouring towns, and in the animated language of patriotism, declared to the assembly, that "at a crisis so momentous and interesting to our beloved country, he held it to be the duty of every citizen, though he might have but one day to live, to devote that day to the public good."

In 1810, Mr. Gerry was prevailed upon to permit his name to be placed on the republican ticket, as a candidate for the chief magistracy of Massachusetts and was elected. The elevation of Governor

Gerry to this honourable station, was received with the greatest satisfaction by his republican friends throughout the United States.

From the whole tenor of Mr. Gerry's actions and political life, it will be perceived that he was a decided friend of those measures which characterized the party at this time in power. The Federal party nominated Mr. Gore in opposition to him, but without success; Mr. Gerry was again chosen governor of the state, by a majority considerably larger than that of the preceding year.

Of the measures of Governor Gerry, one especially worthy of record is his recommendation made to the legislature of Massachusetts, in January, 1812, relative to the patronage and improvement of our domestic manufactures. It arose from a complaint made by the Indians, that owing to the suspension of our trade with Great Britain, they did not receive the usual supplies of goods with which they had been furnished. "In the year 1775," says Mr. Gerry, "when our war with Great Britain commenced, and when, immediately preceding it, a non-importation act had been strictly carried into effect, the state of Massachusetts apportioned on their towns, respectively, to be manufactured by them, the articles of clothing wanted for their proportion of the army which besieged Boston; fixed the price and qualities of those articles, and they were duly supplied within a short period. Thus before we had arrived at the threshold of independence, and when we were in an exhausted state, by the antecedent, voluntary and patriotic sacrifice of our commerce, between thirteen and fourteen thousand cloth coats were manufactured, made, and delivered into our magazines, within a few months from the date of the resolve which first communicated the requisition. Thirty-six years have since elapsed, during twenty-nine of which we have enjoyed peace and prosperity, and have increased in numbers, manufactures, wealth and resources, beyond the most sanguine expectations. All branches of this government have declared their opinion, and I conceive, on the most solid principle, that as a nation, we are independent of every other for the necessaries, conveniences, and for many of the luxuries of life. Let us not then, at this critical period, admit any obstruction which we have power to remove, to discourage or retard the national exertions for asserting and maintaining our rights; and above all, let us convince Great Britain, that we can and will be independent of her for every article of commerce, whilst she continues to be the ostensible friend, but implacable foe, of our prosperity, government, union, and independence."

As the period for a new election of governor approached, the democratic party in Massachusetts a third time solicited Mr. Gerry to offer himself as a candidate; this he at first declined, but viewing the success of the principles which he had avowed as in some degree connected with his return, he consented to serve again in the executive office. During the past year, however, either his popularity had decreased or his political opponents had augmented their strength; and he lost his election by a small majority.

It seemed, however, that advanced as Mr. Gerry was in age, and wearied as he might well be with public office, (for forty years had nearly elapsed since he had entered on his political career,) he was yet destined to serve his country, and to close his active life in the full enjoyment of her honours. At a meeting of the republican members of congress, he was, in June 1812, by a unanimous vote, recommended to the people of the United States as a proper person to fill the office of vice-president, for four years, from the fourth day of March following. This was announced to him by a committee of the meeting, in a letter, to which he immediately replied. "The question," he observed, respecting the acceptance or non-acceptance of this proposition, involved many considerations of great weight in my mind; as they related to the nation, to this state, and to my domestic concerns. But it is neither expedient or necessary to state the points, since one was paramount to the rest, that 'in a republic, the service of each citizen is due to the state, even in profound peace, and much more so when the nation stands on the threshold of war.' I have the honour frankly to acknowledge this distinguished testimony of confidence, on the part of my congressional friends and fellow citizens, gratefully to accept their proffer, and freely to assure them of every exertion in my power, for meriting in office the approbation of themselves and of the public." The recommendation was accepted by his countrymen, and he was elected to the second office of the republic, by a majority of forty-one votes.

On the fourth of March, 1813, Mr. Gerry was inaugurated vice-president of the United States, being attended, at the time, by his venerable friend and revolutionary companion John Adams. At the meeting of the senate on the twenty-fifth of May following, he took his seat as constitutional president of that body, and delivered an address to them, setting forth at large his opinions and views on the great events of political interest which then occupied the attention of the nation. He concluded it in the following terms: "Your fellow citizen, with sensations which can be more easily conceived

than expressed, perceives that there are in the government many of his former friends and compatriots, with whom he has often co-operated in the perilous concerns of his country; and with unfeigned pleasure he will meet the other public functionaries, whose acknowledged abilities and public services in like manner claim his high consideration and respect. With a sacred regard to the rights of every department and officer of government, and with a respectful deference to their political principles and opinions, he has frankly declared his own; for to have concealed them at a crisis like this, might have savoured too much of a want of candour.

“And may that Omnipotent Being, who with infinite wisdom and justice superintends the destinies of nations, confirm the heroic patriotism which has glowed in the breasts of the national rulers, and convince the enemy, that whilst a disposition to peace, on equitable and honourable terms, will ever prevail in their public councils, one spirit, animated by the love of country, will inspire every department of the national government.”

From this period Mr. Gerry devoted himself, with undeviating attention, to the duties of his office. He presided constantly over the deliberations of the senate, and, by his strict impartiality and candour, gave that satisfaction in the latest, which he had done in the earliest actions of his political life. Providence, however, did not long permit him to enjoy the dignity which he had so well earned, but called him in the midst of his honours, but full of years, from the scene of his earthly labours. The date and circumstances of his death are thus recorded, on a plain monument, which congress caused to be erected over his remains in the congressional burial ground at Washington.

The Tomb of
ELBRIDGE GERRY,
Vice-President of the United States,
Who died suddenly in this city, on his way to the
capitol, as President of the Senate,
November 23, 1814,
Aged 70.

Thus fulfilling his own memorable injunction—“It is the duty of every citizen, though he may have but one day to live, to devote that day to the service of his country.”

JOSIAH BARTLETT.

JOSIAH BARTLETT was born at Amesbury, Massachusetts, in November, 1729. He was instructed, at an early age, in the rudiments of the Greek and Latin languages, which, from his natural capacity and tenacious memory, he rapidly acquired. At the age of sixteen he commenced the study of physic.

He completed his medical education in the year 1750, and, at the age of twenty-one, commenced the practice of his profession at Kingston. He resided in the family of the Rev. Joseph Secombe, a pious and well-informed minister, to whose collection of valuable books he had free access. In 1752, he was attacked with an alarming fever, which had nearly proved fatal. Exhausted by the violence of the medicines administered, and by the exclusion of air from his chamber, his life appeared to be rapidly drawing to a close, and his physician pronounced his case to be hopeless; when Dr. Bartlett, whether actuated by a belief in its efficacy, or by one of those inexplicable longings which often sway the mind of the invalid, prevailed upon two young men, who attended him during the night, to procure him a quantity of cider, and give it to him as he should direct. They, at first, peremptorily declined acceding to a wish, the gratification of which was contrary to medical orders, and might even make them accessory to his death. His arguments and importunities, however, prevailed, and the cider being procured, he swallowed a small quantity at intervals during the night. Each draught cooled the fever, invigorated his body, and was followed by evident amendment. In the morning, the powers of nature became so much revived, that a copious perspiration took place, which immediately checked the disease. Ever after this event, Dr. Bartlett cautiously observed the operation of nature in all diseases, and never submitted to dogmatical rules in prescribing for his patients. This practical experiment having emancipated his mind from the trammels of an arbitrary system, he founded his practice upon the details of nature and experience. With these principles, he commenced his career



JOSIAH BARTLETT.

of public usefulness, and speedily became popular as a physician, obtaining a large portion of practice, both lucrative and honourable to himself, and highly useful to the people. He first discovered the utility of the Peruvian bark in remedying the throat distemper, or angina maligna tonsillaris, which then raged at Kingston, and which he proved to be a highly putrid, instead of inflammatory disease: the physicians had previously believed it to be, and had unsuccessfully treated it, as the latter.

The integrity and decision of character which Dr. Bartlett possessed in an eminent degree, soon attracted the attention and confidence of his fellow citizens. He was first appointed to the magistracy, and, after filling various honourable offices, finally attained the highest dignities of the state. About the period of his nomination as a magistrate, he was also appointed by Governor Wentworth to the command of a regiment of militia, in which he discharged his duties with promptness and fidelity.

In the year 1765, Dr. Bartlett began his political career, as the representative of the town of Kingston in the legislature of the province of New Hampshire. Benning Wentworth, the former governor, had granted charters for a number of towns, reserving some of the best rights for himself, and valuable tracts for the benefit of the Episcopal church. The new governor re-granted several towns which his predecessor had before chartered, and chartered new towns interfering with the former grants, taking care to follow the example of the late governor, by appropriating some of the best lands in each grant to himself. The injured parties and their friends, together with all those who valued rectitude in public proceedings, strongly complained of this infringement of common justice. The greater part of the people were also Puritans in sentiment, and disliked the grants to the Church of England: they suspected that the British government intended artfully to establish that kind of religion in America. This produced jealousies and collisions between the governor and his party, and the patriots and aggrieved people: Dr. Bartlett took an active part in support of the latter, as one of the then minority.

But, although this was a matter of considerable interest and importance to the province, another subject infinitely dearer to them had been arising for some years. This was the controversy between Great Britain and her colonies.

Dr. Bartlett was a zealous and active member, and invariably acted upon principles of patriotism, and in support of the rights of

the people. Private meetings of the leaders of opposition, the principal among whom were Dr. Bartlett, Dr. Thompson, Colonel Giddinge, and Colonel Nathan Folsom, were held. At the meeting of the assembly in the spring of 1774, the house of representatives, conformably to the proceedings of the assemblies in the other colonies, appointed a committee of correspondence. The governor immediately dissolved the assembly, hoping by that means to dissolve the committee also. But the representatives re-assembled, and addressed circulars to all the towns in the province, requesting them to send deputies to hold a convention at Exeter, for the purpose of choosing delegates to a general congress, to meet in Philadelphia in September, 1774.

Dr. Bartlett retained his seat in the provincial assembly, and continued to oppose himself with unabating vigour to the arbitrary designs of the British ministry. The collisions between the governor and assembly, indeed, were now continual, and the former was obliged to resort to repeated prorogations; these he continued until the year 1775, when it became manifest, from the obstinacy of the British parliament and royal governors, that either a civil war or submission to slavery would speedily take place. In the month of February, 1775, Dr. Bartlett received very flattering testimonials of the spirited and patriotic tenor of his conduct: he was formally notified by the clerk of the court of common pleas under Governor Wentworth, that his name was erased from the commission of the peace for the county of Rockingham, and received a letter, bearing the same date, advising him that the governor had, with the advice of counsel, dismissed him from his command in the militia.

The events of the year 1775 imposed arduous duties upon the committee of safety, several of whom, and, among the rest Dr. Bartlett, were members of the colonial assembly, in which a strong majority had become opposed to Governor Wentworth. On the fourth of May, he summoned a new assembly, and determined, as he said, "to plant the root of peace in New Hampshire;" he laid before them the proposal made and voted in parliament, which was called Lord North's conciliatory proposition. The house desired a short recess, and the governor consented to adjourn them till the twelfth of June. But the American blood, which had, on the nineteenth of April, been shed at Lexington, and the absurd and inconsistent conduct of General Gage, had highly exasperated the people.

At the adjourned meeting of the twelfth of June, the governor again recommended "the conciliatory proposition;" but the first

step taken by the house, in obedience to the voice of the convention, was to expel the three members whom the governor had summoned by the king's writ; upon which he adjourned the assembly to the eleventh of July. Colonel Trenton, one of the expelled members, having freely indulged in abusive language out of doors, was assaulted by the populace of Portsmouth, and took shelter in the governor's house. The people demanded him, and planted a cannon before the door; upon which the offender was delivered up and conveyed to Exeter: the governor, conceiving himself insulted, retired on board the Fowey man of war, then lying in the harbour.

At the next meeting of the assembly, on the eleventh of July, the duties of Dr. Bartlett were extremely arduous, being at the same time a member of that body, of the committee of safety, and of the provincial convention. He was, however, soon relieved from the first mentioned, as Governor Wentworth sent a message to the house, and adjourned them to the twenty-eighth of September. Having previously retired to Boston, the governor, in September, went to the Isle of Shoals, and there issued a proclamation, adjourning the assembly to the next April. This was the final act of his administration, and the last time he was within the boundaries of the province. Thus terminated the British government in New Hampshire, where it had subsisted ninety-five years.

In September, 1775, Dr. Bartlett was appointed to command a regiment by the first provincial congress, of which Matthew Thornton was president. The committee of safety was continued by that congress, and had full executive and legislative powers granted to them during its recess. They planned a re-organization of the state, and framed an oath of allegiance, which every individual was compelled to take; those who refused were confined until they acceded to it. This oath was called in pleasantry the "*chevaux de frise*."

On the twenty-third of August, 1775, he was chosen a delegate to the continental congress in the room of John Sullivan, who was engaged in the army, and took his seat in that body on the sixteenth of September following. His attention to the important duties of his station was strict and incessant until the month of March, 1775, when he returned home. After a short stay, he again repaired to Philadelphia, where he resumed his arduous and laborious task.

On the twenty-third of January, 1776, a second election for delegates to the continental congress occurred, and Dr. Bartlett was again chosen. His colleagues in this honourable office were two

of his most attached personal friends, William Whipple and John Langdon. The former long served with him in congress, and their signatures are found together on the charter of Independence. Mr. Langdon, owing to an appointment to another office lost the opportunity of recording his patriotic sentiments in the same conspicuous manner.

The question of independence had been for some time in agitation, and for several months preceding freely and fully discussed. In many places, it may be observed, public opinion was much divided; the partisans of Great Britain of course strongly opposed it, and there were not a few of the best friends of the country who entertained strong doubts of the policy of the measure at that moment; the more firm and zealous patriots, however, used every argument in its support, and warmly urged its adoption without delay. The result of their efforts in congress was the vote of the first of July, in favour of independence. From that period until the fourth, the measure was fully, calmly, and deliberately discussed, so that as much unanimity as possible might be obtained on the final question. On that memorable day, the decisive vote was taken, which resulted in the unanimous declaration of all the states in favour of independence. In taking the question the northernmost colony was first called on, and Dr. Bartlett had the accidental, but interesting duty of first giving his voice in favour of the resolution. During the autumn of the year he remained faithfully at his post.

On the twenty-fourth of December, 1776, Dr. Bartlett was re-appointed a delegate to congress by the provincial government; his health, however, had been so much impaired, and he was so worn down by fatigue, that before the close of the year he returned to New Hampshire, and did not again take his seat until 1778. In the mean time, however, he was engaged in other public duties in New Hampshire, and also in providing for the forces of the intrepid Stark at Bennington, whose troops were solely under the control of that state.

Dr. Bartlett was again elected a delegate to congress, which then sat at Yorktown, on the fourteenth of March, 1778, together with John Wentworth, junr., and resumed his seat on the twenty-first of May: the bad health of Mr. Wentworth prevented his long attendance, and he returned the first of August. Dr. Bartlett, however, resumed his duties with his former vigour.

After the evacuation of Philadelphia by the British, congress adjourned on the twenty-seventh of June to meet in that city on the

second day of July. The delegates dispersed from Yorktown at different times, and in different companies, according to their convenience. Dr. Bartlett, however, was only accompanied by his servant: they were obliged to pass through a wood of considerable extent, which was infested by a band of robbers, supposed to be about twenty in number, who plundered all who travelled through it. In those times of violence and distress, many people, who had been driven from their homes and occupations by the movements of contending armies, resorted to this desperate mode of life, to obtain subsistence; or probably some renegade Tories, of the class then called "cow boys," may have composed this band. When Dr. Bartlett and his attendant had arrived at the tavern near the wood, they stopped to refresh themselves and their horses: here they were informed that it was dangerous to pass alone, as the robbers were then particularly on the alert. At the same time an anecdote was related relative to the paymaster of the army, who took a large quantity of paper money from Yorktown, a few weeks before, to the army under General Washington. This gentleman was an officer of the army; he was alone, and when he reached the skirts of the wood, he learned the active spirit and supposed number of the gang. Finding that it would be hazardous to proceed in his proper character, he laid aside his military coat and every appearance of rank, took an old shabby horse, saddle, bridle, and farmer's saddle-bags, in which he deposited his money, and set off in the steady jog of a country friend. When he had arrived at a certain part of the forest, he was met by two of the band, who demanded his money. He saw others around at some distance in the wood, but his presence of mind and equanimity were equal to the task, and assuming the Quaker air and seriousness, he told them that he possessed little money; but that, if they had a better right to it than himself and family, they might take it. He then spoke of moral and religious duties, at the same time taking from his pocket a few small silver and copper pieces, which he offered to them. They were so completely deceived by this manœuvre, that, after observing that he was "a poor Quaker, and not worth robbing," they suffered him to pass on without touching his money. He saluted them with a friendly "farewell," and proceeding in his old jog, passed through the wood, and carried the money safely to the army.

While Dr. Bartlett was refreshing himself, several other delegates, with their servants, arrived: they all prepared their side-arms, and setting off together, passed through the forest without interruption.

When they arrived at Philadelphia, they found great alterations made by the enemy in that city. "The congress," he writes, "meets in the college hall, as the state house was left by the enemy in a most filthy and sordid situation, as were many of the public and private buildings in the city: some of the genteel houses were used for stables, and holes cut in the parlour floors, and their dung shovelled into the cellars. The country northward of the city for several miles is one common waste; the houses burnt, the fruit trees and others cut down and carried off, fences carried away, gardens and orchards destroyed; Mr. Dickinson's and Mr. Morris' fine seats all demolished; in short, I could hardly find the great roads that used to pass that way: the enemy built a strong abbatis with the fruit and other trees, from the Delaware to the Schuylkill, and at about forty or fifty rods distance along the abbatis, a quadrangular fort for cannon, and a number of redoubts for small arms; the same on the several eminences along the Schuylkill, against the city." Nor was it only in objects of this kind, that the consequences of the British invasion of Philadelphia were seen; their various devices became more palpable, by which they endeavoured to sway the opinions of the Americans, and lead them into subjugation through the agency of their own credulity and vanity. They had tried a pretended spirit of reconciliation in the year 1776, when congress had deputed Dr. Franklin, Mr. Adams, and Mr. Rutledge, to meet Lord Howe, at the request of the latter. The palpable intention was to lessen the enthusiasm of the people in favour of liberty, and bias their sentiments against revolutionary principles, and not to come to an equitable accommodation: the commission of Lord Howe did not contain any other authority than that expressed in the act of parliament, which was that of granting pardons, with such exceptions as the commissioners might think proper to make, and of declaring America, or any part of it, to be in the king's peace, upon submission. It is unnecessary to add in what manner a conference grounded upon such principles terminated. The British had also endeavoured to impose upon the credulity of the Americans through the medium of a paper printed in New York, commonly known among the whigs by the name of the "Rivington Lying Gazette;" it was disseminated as widely as possible, and attempts were made by the instrumentality of the tories, to induce American printers to copy from it. They tempted the venality of the leading citizens and public officers, of which Arnold was a dark example, and tried the force of fashion amongst the vain and weaker part of

the community. Public sentiment in all communities, as well as manners and customs, are swayed by the ideal tyrant FASHION. As colonies, we were nurtured under this imaginary phantom, emanating from the parent country, and continually changing. Since the non-intercourse with Great Britain, our customary habits had remained nearly the same, with the exception of a few changes, recommended by the government, in relation to tea, to mourning, and to domestic manufactured cloth. But, after the British entered Philadelphia, the ladies attendant on their army taught the American ladies of that city the use of high head-dresses, crape cushions, and other extravagancies of London fashions. When the British evacuated Philadelphia, the ladies of the tory families always appeared with their fashionable apparatus, while the gentlemen had dismissed their small round hats, and substituted a large kind, decorated with three corners. These customs beginning to prevail among the other citizens, some of the whigs, in order to check their progress by salutary ridicule, dressed a negro wench in the full costume of a loyal lady, conveyed her to the place of resort where the fashionables displayed their towering topknots and jutting magnificence, and seated her in the most conspicuous place. They afterwards carried her through the city, to the great chagrin of the devotees of the visionary divinity. But nothing could stem the progress of the fashion, which, for a season, became general throughout America.

Dr. Bartlett was again elected a member of congress, on the nineteenth of August, 1778, and on the thirty-first of October following obtained leave of absence, and returned home for the purpose of attending to his domestic concerns, which had greatly suffered from the want of his care and superintendence. He never again appeared as a member of that body, but devoted himself with unabated zeal to the affairs of his own state, in the political transactions of which he took a prominent part.

In 1779, Dr. Bartlett was appointed chief justice of the court of common pleas, for the state of New Hampshire, and in 1780, muster-master of the troops then raising for three years and during the war. In 1782, on the resignation of Judge Thornton, he was appointed a justice of the superior court, which office he held until he was made chief justice, in 1788.

In the year 1788, the federal constitution, which had been framed by the delegates assembled at Philadelphia, was presented to the several states for their consideration. For this purpose, in the state of New Hampshire a convention of people was held, and the new

constitution was acceded to, and approved by them on the twenty-first of June. Dr. Bartlett was an active member of the convention, and strenuously supported its adoption. In April, 1789, the old confederation expired, and the new form of government, partly federal and partly national, succeeded in its place, to the universal joy of all who desired the happiness of the United States. Dr. Bartlett was chosen a senator to congress, in the same year, together with his old friend Mr. Langdon; but the infirmities of age, being now in his sixtieth year, induced him to decline that office.

In June, 1790, he was chosen president of New Hampshire, in which office he continued until June, 1793, when he was elected the first governor of the state. He discharged the duties of this high station with his usual promptitude and fidelity: he was a ruler in whom the wise placed confidence, and of whom even the captious could find nothing to complain.

The advanced age of Governor Bartlett now required repose, and he closed, by the resignation of the chief magistracy, his public career, which, in its purity of principle and love of country, was not excelled even in what has been emphatically denominated "the age of men." On the twenty-ninth of January, 1794, he addressed the following letter to the legislature:—

"Gentlemen of the legislature: After having served the public for a number of years, to the best of my abilities, in the various offices to which I have had the honour to be appointed, I think it proper, before your adjournment, to signify to you, and through you to my fellow citizens at large, that I now find myself so far advanced in age, that it will be expedient for me at the close of the session, to retire from the cares and fatigues of public business to the repose of a private life, with a grateful sense of the repeated marks of trust and confidence that my fellow citizens have reposed in me, and with my best wishes for the future peace and prosperity of the state."

The repose which he anticipated, so inestimable to a man, the better part of whose life had been consumed amid the toils and troubles of the revolution, and the dissensions which preceded it, was destined, in this world, to be of short duration. On the nineteenth of May, 1795, this distinguished patriot was gathered to his fathers, in the sixty-sixth year of his age. The wife of Governor Bartlett was a lady of Kingston, who possessed the same family name. She was a woman of excellent character, and an ornament to society, and died in 1789, six years previous to the death of her husband.

The stern patriotism and inflexible republicanism which adorned the character of Dr. Bartlett, have already been developed. His mind was quick and penetrating, his memory tenacious, his judgment sound and perspicacious. His natural temper was open, humane, and compassionate. In all his dealings he was scrupulously just, and faithful in the performance of all his engagements. These brilliant talents, combined with distinguished probity, recommended him early in life to the esteem and confidence of his fellow citizens. But few persons, by their own merit, and without the influence of family or party connexions, have, like him, risen from one degree of confidence to another; and fewer still have been the instances, in which a succession of honourable and important offices have been held by any man with less envy, or executed with more general approbation.

WILLIAM WHIPPLE.

WILLIAM WHIPPLE, the eldest son of William Whipple, was born at Kittery, Maine, in the year 1730. He was educated at one of the public schools in that town. The instruction he received was such as was usually given to youths of respectable families, destined to make their fortunes by commercial pursuits, and though not of that general and extended kind which is now bestowed, certainly was not so limited or deficient as has been supposed. He displayed throughout his whole life the marks of early attention and a good elementary education. On leaving school he embarked immediately on board of a merchant vessel, the constant and customary mode of commencing a commercial life at that period, but not, as has been intimated, with the intention or view of adopting a seafaring life, strictly so to speak, as his future occupation. In this pursuit he made several voyages, and amassed some fortune; his intercourse appears to have been chiefly with the West Indies, and it has been said that he engaged in the slave trade; of this we have no direct evidence, but it is not improbable, as such a traffic was one of the most frequent in those times, among all commercial nations, that the vessels in which he embarked were occasionally engaged in it.

In the year 1759, however, he abandoned the sea entirely, being then in the twenty-ninth year of his age, and entered into business in Portsmouth, with his brother, under the firm of William and Joseph Whipple. This connexion was discontinued about one or two years previous to the revolution.

Mr. Whipple married his cousin, Catharine Moffat. His offspring was limited to one child, which died in its infancy. He resided in the family of his father-in-law from the time of his marriage until his death.

At an early period of the contest, he took a decided part in favour of the colonies, in their opposition to the claims of Great Britain; and his townsmen, placing the highest confidence in his patriotism and integrity, frequently elected him to offices which required great



RES. OF GEN. W. WHIPPLE

From a sketch by H. H. How Peck, Esq.

firmness and moderation. In January, 1775, he was chosen one of the representatives of the town of Portsmouth to the provincial congress, held at Exeter for the purpose of choosing delegates to the general congress, which was to meet in Philadelphia on the tenth of May following.

When the disputes between the two countries were approaching to a crisis, the provincial committee of safety of New Hampshire recommended that a provincial congress should be formed, for the purpose of directing and managing the public affairs of the state during the term of six months. The delegates from the town of Portsmouth were five in number, among whom was Captain Whipple. He accordingly attended the meeting of the congress, which convened at Exeter in the beginning of May, 1775, and was elected by that body one of the provincial committee of safety, who were to regulate the affairs of government during the war. In the early part of the same year, he was also chosen one of the committee of safety for the town of Portsmouth.

At the close of the year 1775, the people of New Hampshire assumed a form of government, consisting of a house of representatives and a council of twelve, the president of which was the chief executive officer. Mr. Whipple was chosen one of the council, on the sixth of January, 1776, and on the twenty-third of the same month, a delegate to the general congress: he took his seat on the twenty-ninth of February following. He continued to be re-elected to that distinguished situation in the years 1777, 1778, and 1779, and applied himself with diligence and ability to the discharge of its duties, when the military services which he rendered during that period permitted him to be an acting member of the New Hampshire delegation. In the middle of September, 1779, he finally retired from congress, after having attended, without the least intermission, at his post of duty, from the fifth of the preceding month of November.

Whilst in congress, he was considered a very useful and active member, and discharged the duties of his office in a manner alike honourable to himself and satisfactory to his constituents. In the current and committed business of the house, he displayed equal perseverance, ability, and application. His early pursuits rendered him particularly useful as a member of the committees of marine and of commerce; and, as one of the superintendents of the commissary's and quarter-master's departments, he laboured, with much assiduity, to correct the abuses which had prevailed, and to place

those establishments upon such a footing as might best conduce to the public service. When the depreciation of the continental currency became excessive, he strongly opposed new emissions of paper, as tending to the utter destruction of public confidence.

Soon after Mr. Whipple's return to New Hampshire, he was called on to exercise his patriotism in scenes and modes yet untried. He had buffeted the waves as a seaman; he had pursued the peaceful occupations of a merchant; and he had distinguished himself as a legislator and a statesman; but he was now called on to undergo the severer personal duties, and to gather the more conspicuous laurels of a soldier. The overwhelming force of Burgoyne having compelled the American troops to evacuate their strong post at Ticonderoga, universal alarm prevailed in the north. The committee of the "New Hampshire Grants," which had now formed themselves into a separate state, wrote in the most pressing terms to the committee of safety at Exeter, for assistance. The assembly of New Hampshire was immediately convened, and adopted the most effectual and decisive measures for the defence of the country. They formed the whole militia of the state into two brigades, giving the command of the first to William Whipple, and of the second to General Stark. General Stark was immediately ordered to march, "to stop the progress of the enemy on our western frontiers," with one-fourth of his brigade, and one-fourth of three regiments belonging to the brigade of General Whipple.

Burgoyne, presuming that no more effectual opposition would be made, flattered himself that he might advance without much annoyance. To the accomplishments and experience of his officers, was added a formidable train of artillery, with all the apparatus, stores, and equipments, which the nature of the service required. His army was principally composed of veteran corps of the best troops of Britain and Germany, and American loyalists furnished it with spies, scouts, and rangers: a numerous body of savages, in their own dress and with their own weapons, and characteristic ferocity, increased the terrors of its approach. Flushed by a confidence in his superior force, and deceived in his opinion of the number of friendly loyalists, the British general despatched Lieutenant-Colonel Baum from Fort Edward, with about fifteen hundred of his German troops, and a body of Indians, to overrun the "Grants" as far as the Connecticut river, for the purpose of collecting horses to mount the dragoons, and cattle, both for labour and provisions. He was encountered at Bennington by the intrepid Stark, who carried

the works which he had constructed by assault, and killed or captured the greater part of his detachment; a few only escaped into the woods, and saved themselves by flight.

This victory gave a severe check to the hopes of the enemy, and revived the spirits of the people after a long depression. The courage of the militia increased with their reputation, and they found that neither British nor German regulars were invincible. Burgoyne was weakened and disheartened by the event, and beginning to perceive the danger of his situation, he now considered the men of New Hampshire and the Green Mountains, whom he had viewed with contempt, as dangerous enemies: in a letter, written about this time, he remarks to Lord Germaine, that "the New Hampshire Grants, till of late but little known, hang like a cloud on my left."

The northern army was now reinforced by the militia of all the neighbouring states. Brigadier General Whipple marched with a great part of his brigade; and volunteers from all parts of New Hampshire hastened in great numbers to join the standard of General Gates. In the desperate battles of Stillwater and of Saratoga, the troops of New Hampshire gained a large share of the honour due to the American army. The consequence of these engagements was the surrender of General Burgoyne. When the British army capitulated, he was appointed, with Colonel Wilkinson, as the representative of General Gates, to meet two officers from General Burgoyne, for the purpose of propounding, discussing, and settling several subordinate articles and regulations springing from the preliminary proposals of the British general, and which required explanation and precision before the definitive treaty could be properly executed. By concert with Major Kingston, a tent was pitched between the advanced guards of the two armies, where they met Lieutenant-Colonel Sutherland, and Captain Craig of the forty-seventh regiment, on the afternoon of the sixteenth October, 1777. Having produced and exchanged credentials, they proceeded to discuss the objects of their appointment, and in the evening signed the articles of capitulation. After the attainment of this grand object, General Whipple was selected as one of the officers, under whose command the British troops were conducted to their destined encampment on Winter-hill, near Boston.

General Whipple was attended on this expedition by a valuable negro servant named Prince, whom he had imported from Africa many years before. On his way to the army, he told his servant

that if they should be called into action, he expected that he would behave like a man of courage, and fight bravely for his country. Prince replied, "Sir, I have no inducement to fight; but if I had my liberty, I would endeavour to defend it to the last drop of my blood." The general manumitted him upon the spot. This anecdote is related by the Marquis de Chasteleux in his "Travels in North America," but is erroneously applied to Governor Langdon, who was in company with General Whipple at the time, but had no negro servant with him.

While he was thus absent from congress on more active duties, he kept up a constant correspondence with his friends in Philadelphia, so as to be informed of their views and wishes, and to cooperate as much as possible with them.

Nor was the expedition against Burgoyne the only military affair that Mr. Whipple was engaged in during his absence from congress. It may be recollected that in the latter part of this summer, when Count d'Estaing had abandoned his project of attacking the British fleet at New York, a plan was formed for his co-operation with General Sullivan in retaking Rhode Island from the British. To aid in this measure the militia of the adjoining states were called out, and the detachment of New Hampshire was placed under the command of General Whipple. The scheme, owing to some accident, or the neglect of a proper understanding, proved unsuccessful, and General Sullivan was only able to save his army by a judicious retreat. During this brief campaign it is recorded, that one morning whilst a number of officers were at breakfast in the general's quarters, at the position on the north end of the island, the British advanced to an eminence about three quarters of a mile distant; perceiving horses and a guard before the door, they discharged a field piece, which killed one of the horses, and the ball, penetrating the side of the house, passed under the table where the officers were sitting, and shattered the leg of the brigade major of General Whipple in such a manner that amputation was necessary.—The design for which the militia were called out having thus proved abortive, many of them were discharged, and General Whipple with those under his command returned to New Hampshire. According to the pay-roll for the general and staff of his division of volunteers, it appears that he took the command on the 26th of July, and returned on the 5th of September, 1778.

Having closed his military career, he returned to Philadelphia without delay, and resumed his duties in congress.

The high consideration in which his services were held by congress did not cease to accompany Mr. Whipple in his retirement. In the beginning of the year 1780 he was appointed a commissioner of the board of admiralty, which office he declined accepting, owing to the situation of his private affairs. In a letter of the seventh of February, 1780, he thus expresses himself to Nathaniel Peabody, in relation to this appointment. "I am confident that your wishes, that I would accept the office you mentioned, are founded on the best principles, viz. the public good; though I am not altogether so clear that you would not be mistaken. No doubt some other person may be found that will fill the place much better; at least this is my sincere wish, for I have nothing more at heart than our navy. The official account of my appointment did not reach me till some time in January, although the letter was dated the 27th November; this may account for my answer's being so long delayed: indeed, I took a fortnight to consider the matter before I gave my answer, and I assure you considered it very maturely; and, in casting up the account, I found the balance so greatly against it, that I was obliged, on the principle of self-preservation, to decline."

In the year 1780, immediately after his retirement from congress, he was elected a member of the legislature, to which office he was repeatedly chosen, and continued to enjoy the confidence and approbation of his fellow citizens.

In May, 1782, the superintendent of finance, confiding in "his inclination and abilities to promote the interests of the United States," appointed Mr. Whipple receiver for the state of New Hampshire, a commission at once arduous and unpopular. It was invariably the rule of Mr. Morris to grant this appointment only to men of tried integrity and invincible patriotism. The duty of the office was not only to receive and transmit the sums collected in the state, but to expedite that collection by all proper means, and incessantly to urge the local authorities to comply with the requisitions of congress. The station now held by Mr. Whipple was, therefore, extremely irksome, not only from the urgent and necessary representations to the legislature and the people, but from the total want of success which attended his most persevering efforts. So shameful was the sluggishness of the state in the payment of revenue, that it was necessary, six months after the first instalment became due, to remit money to New Hampshire for the purpose of finishing a single ship on the stocks at Portsmouth. The discouraging result of his exertions induced him, on the third of August, 1783, to repeat more

strongly his desire to abandon an office, the powers and effects of which were so little desirable. But Mr. Morris was not disposed to lose the services of a faithful and able agent, without an effort to shake his determination. "If," he remarked in a letter of the nineteenth August, 1783, "a number of competitors would appear, I am well persuaded that you would not have accepted. Your original motives must continue to exist, until the situation of our affairs shall mend. Persist, then, I pray you, in those efforts which you promised me, and be persuaded that the consciousness of having made them will be the best reward. If this is not the case, I have mistaken your character."—Let it be remembered that an eulogium from Robert Morris should be equally venerated as though it had fallen from the lips of Washington: the military glory of the hero can never be separated from the gigantic talents of the financier.—It was not until the month of January, 1784, that Mr. Whipple was enabled to make his first remittance to the treasury: this, at a time when the public necessities were most urgent, consisted of three thousand dollars! At length, he was resolved no longer to submit to the series of vexations which he had endured for more than two years, and which the infirm state of his health rendered still more oppressive. On the twenty-second of July, 1784, he imparted his final determination to Mr. Morris, and retired from the office of receiver in the course of the following month.

A dispute had long subsisted between the states of Pennsylvania and Connecticut, relative to certain lands at Wyoming, which, from the hostile spirit in which it was conducted, demanded the serious consideration of congress. On the sixteenth of July, 1782, it was resolved that the agents of those states should appoint commissioners or judges to constitute a court for hearing and determining the matter in question, agreeably to the ninth article of the confederation. On the eighth of August, this requisition was complied with, and Mr. Whipple was included in the commission subsequently granted by congress. The court of commissioners met at Trenton, in New Jersey, on the twelfth of November, but did not constitute a quorum until the eighteenth; when William Whipple, Welcome Arnold, David Brearly, William Churchill Houston, and Cyrus Griffin, Esqrs. having taken the necessary oath, opened the court in form. Mr. Whipple was appointed president, and throughout the course of this important and delicate trial, which terminated on the thirtieth of December, displayed great ability, impartiality, and moderation. Their final sentence and decree was returned to con-

gress on the third of January, stating it as the unanimous opinion of the court, that the state of Connecticut has no right to the lands in controversy.

About this period General Whipple began to be afflicted with strictures in the breast, which, at times, proved extremely painful. A little exercise would induce violent palpitations of the heart, which were very distressing. Riding on horseback often produced this effect, and frequently caused him to faint and fall from his horse. This complaint prevented him from engaging in the more active scenes of life, and compelled him to decline any further military command.

On the twentieth of June, 1782, he was appointed a judge of the superior court of judicature; it being usual, at that period, to fill the office with persons who had not been educated in the profession of the law. The bench consisted of four judges, and the chief justice only was taken from the bar. A discerning mind, sound judgment, and integrity, were deemed adequate, but essential qualifications; and these virtues were possessed by General Whipple. In an attempt to sum up the arguments of the counsel, and state a cause to the jury, the effort brought on the palpitation of his heart, in so violent a degree, that he proceeded with great difficulty; and this was the only instance of his making a formal speech, whilst seated upon the bench. He continued, however, to ride the circuits with the court for the term of two or three years, and assisted his brethren with his opinion in the decision of the causes before them.

On the twenty-fifth of December, 1784, he was appointed a justice of the peace and quorum throughout the state, under the new constitution. In the fall of 1785, the rapid increase of his disorder compelled him to leave the court, and return home before the circuit was completed. He was immediately confined to his chamber, and the nature of his complaint preventing him from lying in bed, his only refreshment from sleep was received whilst sitting in a chair. The nature and violence of his disorder being beyond the reach of medical art, he expired on the twenty-eighth day of November, 1785, in the fifty-fifth year of his age.

His body was opened, by his special direction, and it was found that an ossification had taken place in his heart; the valves being united to the aorta, a small aperture, about the size of a large knitting needle, remained open, through which all the blood flowed in its circulation; and when any sudden motion gave it new impulse, it produced the palpitation and faintness to which he was lia-

ble. His body was deposited in the North burying ground in Portsmouth.

Mr. Whipple was possessed of a strong mind, and quick discernment: he was easy in his manners, courteous in his deportment, correct in his habits, and constant in his friendships. He enjoyed through life a great share of the public confidence, and although his early education was limited, his natural good sense, and accurate observations, enabled him to discharge the duties of the several offices with which he was intrusted, with credit to himself and benefit to the public. In the various scenes of life in which he engaged, he constantly manifested an honest and persevering spirit of emulation, which conducted him with rapid strides to distinction. As a sailor, he speedily attained the highest rank in the profession; as a merchant, he was circumspect and industrious; as a congressman, he was firm and fearless; as a legislator, he was honest and able; as a commander, he was cool and courageous; as a judge, he was dignified and impartial; and as a member of many subordinate public offices, he was alert and persevering. Few men rose more rapidly and worthily in the scale of society, or bore their new honours with more modesty and propriety.



RES. OF MATTHEW THORNTON .

at the time of the De vasa tion of haly mil-lur, Derby St.

MATTHEW THORNTON.

MATTHEW THORNTON was a native of Ireland, where he was born about the year 1714. Two or three years subsequent to his birth, his father, James Thornton, emigrated to this country with his family, and resided at Wiscasset, in Maine. In a few years he removed to the town of Worcester, in the province of Massachusetts, where he conferred the benefits of an academical education upon his son, whom he designed for one of the learned professions. He accordingly commenced, and prosecuted his medical studies under the superintendence of Dr. Grout, of Leicester, in Massachusetts, and after the usual preparatory course, embarked in the practice of medicine in Londonderry, New Hampshire. He rapidly acquired extensive and well-merited reputation as a physician and surgeon, and in the course of several years' successful practice, became comparatively wealthy.

In the beginning of the year 1745, an expedition against Cape Breton was planned by Governor Shirley, and submitted to the legislature of Massachusetts, in which it was adopted by a majority of one. The co-operation of New Hampshire being required, the legislature of that province evinced much greater enthusiasm and alacrity, and at once assented to the measure. A corps of five hundred men was raised immediately, prudent officers were selected, and the whole equipped in the best manner that the resources of the province would permit. Dr. Thornton was selected to accompany it as a surgeon, and in the course of the expedition gave evidence of those superior talents which afterwards brought him forwards into public notice in a still more distinguished manner.

Dr. Thornton, of course, participated in the perils of this fortunate expedition, and it is a creditable evidence of the professional abilities and attention of the medical department, that, from among a division of five hundred men, only six individuals died from sickness, previous to the surrender of the town, notwithstanding they had been subjected to excessive toil and constant exposure

At the commencement of the revolutionary war, Dr. Thornton still resided in Londonderry, and held the rank of a colonel in the militia. He was also commissioned a justice of the peace, under the administration of Benning Wentworth.

In 1775, when the British government was dissolved, and a provincial convention formed for temporary purposes, Matthew Thornton was appointed the first president.

Although the co-operation of the inhabitants of New Hampshire with the other colonies, in their opposition to the stamp tax, did not appear very cordial, from their omission to send delegates to the congress of 1765, yet the state assembly, at their next meeting, adopted the same measures, and forwarded petitions to England, similar to those which had been prepared by congress. The provinces of New Hampshire, North Carolina, and Virginia, were unrepresented; but the legislatures of the two last were not in session, and the former alone, although joining in the general opposition, declined sending delegates to the convention. This defection, so destructive to the unanimity which ought to have characterized the proceedings of the oppressed colonists, probably arose from the exercise of the same influence which created a reluctance on the part of the merchants of Portsmouth to adopt the non-importation agreement, in 1769; but the popularity and power of Governor Wentworth were unable to cope with the spirit of patriotism, strengthened by the conviction that their whole intercourse with the other colonies would be suspended, unless they followed the general example, by forming an association similar to those which had been elsewhere adopted; this was accordingly effected in 1770. But notwithstanding these appearances, the popular spirit of New Hampshire was decidedly, but temperately displayed upon all proper occasions, in opposition to the odious tax which had been imposed.

The events which succeeded, and the gradually increasing opposition of the people, until the overthrow of the royal government in the province, have been already mentioned and need not be here repeated. Dr. Thornton took an active and zealous part in all of them, and was looked up to by the whole community as one of the firmest of the patriots, and one of the most prudent leaders. On the flight of Governor Wentworth, he arose amid a perilous and appalling scene, to the presidency of the provincial convention. On the second of June, 1775, a few days previous to the flight of the British governor, an address to the inhabitants of the state was prepared by the convention, to which the name of Matthew Thornton

is affixed, and which, as a rare document, and strongly illustrative of the temper and firmness of that assembly, is worthy of preservation. It bears date in the provincial congress at Exeter, on the second of June, 1775, and is addressed to the inhabitants of the colony.

On the third of November, 1775, congress took into consideration the report of the committee to which these instructions had been referred, and recommended to the provincial convention to call a full and free representation of the people, and that the representatives so called should establish such a form of government, as, in their judgment, would best promote the happiness of the people, and most effectually secure peace and good order in the province, during the continuance of the existing dispute between Great Britain and her colonies. The members of the convention were principally men who knew nothing of the theory of government, and had never before been concerned in public affairs; but in the short term of six months, they were convinced by experience, that it was improper for a legislative assembly to consist of one house only. Having accordingly framed a temporary form of government, they assumed the name and authority of a house of representatives, and elected twelve persons to constitute a distinct branch of the legislature, under the title of a council. The office of president of the convention, held by Dr. Thornton, was accordingly annulled. Meshech Weare, an old and faithful servant of the public, was appointed president of the council. The non-election of Dr. Thornton, who then held the highest office in the civil service, did not certainly proceed from a want of confidence in his abilities and patriotism, as his subsequent speedy nomination to congress amply attests, but rather from the superior claims of Mr. Weare. On the fifth of January, 1776, he was elected speaker of the general assembly.

On the twelfth of September, 1776, he was appointed, by the house of representatives, a delegate to represent the state of New Hampshire in congress, during the term of one year. He did not take his seat in that illustrious body until the fourth of November following, being four months after the passage of the Declaration of Independence; but he immediately acceded to it, and was permitted to place his signature on the engrossed copy of the instrument, among those of the FIFTY-SIX worthies, who have immortalized their names by that memorable and magnanimous act. The case of Dr. Thornton is not singular: neither Benjamin Rush, George Clymer, James Wilson, George Ross, nor George Taylor, were pre-

sent in congress, on the fourth of July, 1776, not having been chosen delegates by the legislature of Pennsylvania until the twentieth day of that month.

On the tenth of January, 1776, Dr. Thornton was appointed a judge of the superior court of New Hampshire, which office he retained until the year 1782. He had previously received the appointment of chief justice of the court of common pleas. On the twenty-fourth of December, 1776, he was again elected, together with William Whipple and Josiah Bartlett, to represent the state of New Hampshire in congress, for the term of one year, from the twenty-third of January, 1777. At the expiration of that time, he concluded his congressional labours, which had been performed with undeviating assiduity, and a strict regard to the prosperity and honour of the country.

Towards the close of the year 1779, he removed to Exeter, and, in 1780, purchased a farm, pleasantly situated on the banks of the Merrimack, to which he retired a short time after. In this delightful abode, he connected the business of agriculture with his other diversified occupations. Being now far advanced in life, he relinquished, in a great measure, the practice of medicine; but whenever his professional services were particularly required, they were cheerfully granted, and at all times highly appreciated. He interested himself in the municipal affairs of the town, and was, for several years, chosen one of the select-men. During one or two years, he served as a member of the general court; and was elected to the office of senator in the state legislature. On the twenty-fifth January, 1784, he was appointed a justice of the peace and quorum throughout the state under the new constitution, which office he continued to hold until the time of his death. In 1785, he appears to have terminated his political career, in the seventy-first year of his age, as a member of the council, under the presidency of John Langdon.

The deep interest entertained by Dr. Thornton in relation to the welfare of the community, even when he had, in a great measure, retired from active political life, is apparent in his exertions to terminate the unhappy disputes between the states of New Hampshire and Vermont. The latter, not then an acknowledged state of the Union, had extended its jurisdiction over a number of towns within the limits of the former, and officers of justice, appointed by the authority of both states, were exercising jurisdiction in the same places, and over the same persons. Party rage, strong contentions.

and deep resentments, were produced by these clashing interests; and at the period when the letter of Dr. Thornton was written, a serious affray in the town of Chesterfield,—during which the respective sheriffs of the two states were at different periods committed to prison by the stronger party, and orders were on each side issued to oppose force by force,—threatened to lead to open acts of hostility,

—Dr. Thornton addressed an earnest and eloquent letter to President Weare, urging the necessity of calmness and forbearance, and no doubt greatly contributed to the amicable adjustment of the dispute.

In private life, the social feelings and attachments of Dr. Thornton attracted the general esteem of those by whom he was surrounded: the young and the old were alike participators in the agreeable versatility of his powers, and the inexhaustible stock of information which a long and industrious life had accumulated. His memory was well stored with a large fund of entertaining and instructive anecdotes, which he could apply to any incident, or subject of conversation. Hence his society was universally courted, and few ever left his presence without being both instructed and amused. Nor were his instructions speedily forgotten; for they were invariably interwoven with some anecdote of the character or event which he wished to describe, and illustrative of the lesson which he desired to impart; these pleasant intertextures were so applicable, that the recollection of them could not fail to recall to the memory the circumstances with which they were connected. In his moments of mental recreation, he exhibited the very essence of hilarity and humour, in the infinite variety of his stories, and his mode of narrative, which was particularly inviting. In this rational pastime, he never descended to vulgarity, but afforded general amusement, while he instructed the minds, and improved the morals, of his hearers: like the great Franklin, whom he, in many traits of character, resembled, he illustrated his sentiments by fable; in which he displayed a peculiar and original talent. His inventive powers in exercises of this nature were quick and judiciously directed: he frequently commenced a fictitious narrative for the amusement of his auditors, and, like an Eastern story-teller, continued it for the space of an hour, supported solely by instantaneous invention. His posture, and manner of narrating, were as peculiar as the faculty itself: when he placed his elbows upon his knees, with his hands supporting his head, it was the signal for the *erectis auribus* of the assembly. Their attention became instantly arrested

and irresistibly fixed upon the narrative; the curious incidents of which were evolved in the most masterly manner. Commencing with a slow articulation, and a solemn countenance, he gradually proceeded in his tale, casting, at intervals, his black and piercing eyes upon the countenance of his hearers, to detect the emotions excited in their breasts, and pausing to observe its full effects. His ingenuity in this accomplishment was astonishing, and he never failed to interest the feelings, and excite admiration.

His house was at all times open to those who were houseless, and his table was frequently surrounded by individuals, from whom gratitude alone could be anticipated in return for his kindness and hospitality. Nevertheless it would be unreasonable to suppose that all the high qualifications possessed by Dr. Thornton, were wholly free from alloy—for he was human. It is asserted that the *auri sacra fames*, in some degree, detracted from the dignity of the character which he generally sustained; but this accusation may have sprung from the observations of those who did not properly distinguish economy from avarice. He was never known to be unjust, although he rigidly enforced his rights, without reference to the smallness of the amount: hence he was considered severe in his pecuniary claims. If he was strict in obtaining that which was due to him, he was scrupulously exact in liquidating his obligations to others.

Another trait in his character, which frequently excited unpleasant, but momentary feelings, was his powers of satire. Although no man more patiently endured a cutting sarcasm, but few were inflicted on Dr. Thornton without a prompt and keen retaliation. In fact he was fond of pleasant jests, and was even immoderately pleased at a pungent pun, or a lively repartee. Many diverting anecdotes of this kind are preserved by his surviving companions.

As a neighbour he was universally loved, as a citizen respected, and as a physician, he gained the confidence of the people by his skill and punctuality. He cherished with fondness the remembrance of those individuals of merit with whom he had formed an acquaintance during the chequered scenes of his life, and endeavoured to preserve undiminished their respect and approbation. In the evening of life, after his professional and political usefulness was almost exhausted, he was in the habit of visiting his old friends in Londonderry, the once happy scene of his youthful exertions. In these interviews, he was feelingly affectionate;—grasping the hand with a real sensibility of the heart, in the recollection of the joys of hy-

gone days. The reiteration of this social formality was a renewed pledge of his kindness and affection: his recollection of the children in the neighbourhood was remarkably acute, and, without invidious distinctions, he was a particular favourite among the children of all his acquaintances;—a foible perhaps incident to the character of a family physician. During these visits, he never alighted from his chaise, owing to the infirmities of age; but when the arrival of *the judge* was announced, the whole family was laid under a willing contribution, and old and young alike flocked out to bid him welcome.

His own children, who were absent from home, participated largely in his warmest affections: he visited them annually, and expended some time in their society. Their love and veneration for him, and unceasing solicitude for his welfare, amply repaid his paternal anxiety, and were a soothing consolation to his declining years. He was greatly recreated by these excursions, and never returned from them without apparent satisfaction.

Dr. Thornton was, indeed, a man, venerable for his age and skill in his profession, and for the several important and honourable offices which he had sustained;—noted for the knowledge which he had acquired, and his quick penetration into matters of abstruse speculation. His virtues were a model for imitation, and while memory does her office, will be held in grateful recollection. His character as a Christian, a father, a husband, and a friend, was bright and unblemished: and if he had any of those failings which are inseparable from humanity, they have long since been forgotten.

On the great question which was decided in favour of our national independence, he was invariably steadfast, and at all times evinced his readiness to support, with his property and life, the declaration to which he had publicly subscribed. His political character may be best estimated by the fact, that he enjoyed the confidence, and was the unshaken disciple, of Washington.

In relation to the religious sentiments and opinions of Dr. Thornton, it is not ascertained that he ranked himself among any of the established sects of Christians. It is, however, certain, that no man was more deeply impressed with a belief in the existence and bounties of an over-ruling Providence, which he strongly manifested by a practical application of the best and wisest injunctions of the Christian religion: a believer in the divine mission of our Saviour, he implicitly followed the great principles of his doctrine, so far as human frailty would permit. Exemplary for his regard to the public institutions of religion, and for his constancy in attending public

worship, he trod the courts of the house of God with steps tottering with age and infirmity.

When he had passed the eightieth year of his age, he was attacked with the whooping-cough, which proved extremely distressing. But, notwithstanding the violence of the spasms, which nearly deprived his feeble frame of breath and pulsation, he continued his practice of visiting, and fully retained his natural pleasantry and humour. For many years previous to his death, a slight affection of the palsy had impaired his voice, which rendered it difficult for him, at certain seasons, to express himself intelligibly: but even this infirmity, in such a man as Dr. Thornton, served to enhance the veneration in which he was held. The solemn enunciation of his voice attracted fresh attention, and increased that respect and awe which old age is wont to inspire.

He died in Newburyport, Massachusetts, while on a visit to his daughters, on the twenty-fourth day of June, 1803, in the eighty-ninth year of his age: his remains were conveyed to New Hampshire, and interred on the succeeding sabbath, within a short distance of Thornton's ferry, on the Merrimack river. His surviving children consisted of two sons and two daughters.

Dr. Thornton was a man of large stature, exceeding six feet in height, and his form was symmetrically proportioned: his complexion was dark, and his eye black and penetrating. His countenance was invincibly grave, like that of Cassius, who read much, and never smiled; and this trait is the more remarkable, as he was distinguished for his good-humoured hilarity. In his deportment, he was dignified and commanding, without austerity or hauteur.

The grave of this eminent man is covered by a white marble slab, upon which are inscribed his name and age, with the brief but noble epitaph—"AN HONEST MAN."



MONUMENT OF STEPHEN HOPKINS.
Providence R. I.



STEPHEN HOPKINS.

STEPHEN HOPKINS was born in that part of the then town of Providence, Rhode Island, which now forms the town of Scituate, on the seventh of March, 1707. Although the remembrance and knowledge of the youthful days of Mr. Hopkins are in a great measure lost, yet it appears on record, as an evidence of the regularity of his conduct at that period, and the confidence which it excited, that, when only nineteen years of age, his father gave him a deed of gift for seventy acres of land, and his grandfather bestowed on "his loving grandson," an additional tract of ninety acres.—He received nothing more than a plain country education, by which he acquired an excellent knowledge of penmanship, and became conversant in the practical branches of the mathematics, particularly surveying.

Being the son of a farmer, he continued the occupation of his father, after the death of the latter, and in 1731, increased his estate in Scituate, by the purchase of adjoining lands. He continued this mode of life until his removal to Providence, in 1742, when he sold his farm, and built a mansion in that town, in which he continued to reside until his death.

In March, 1732, Mr. Hopkins made his first appearance in the public service, in the humble station of town-clerk of Scituate, from which he rose, through almost every gradation of office, to the highest dignity of the state. He continued to hold the situation of town-clerk, and of president of the town-council, to which he was chosen in March, 1735, till the twenty-fourth of December, 1741, when he resigned in consequence of his intended removal from the town. About this time, he was also clerk of the court, and clerk to the proprietors of the county. In June, 1732, he was elected a representative to the general assembly from Scituate, and continued to discharge the duties of that appointment, with fidelity and ability, until the year 1738. In May, 1736, he was appointed a justice of the peace, and one of the justices of the court of common pleas. In May, 1739, he was appointed chief justice of that court.

He was extensively employed, till an advanced age, in the business of surveying lands. In 1737, he revised the streets, and projected a map of Scituate, for the proprietors; and performed the same duty in Providence, after he had established his residence in that town. In 1740, he was chosen surveyor by the proprietors of land in the county of Providence, to make returns, and an index-book, of all the lands laid out west of the seven-mile line: the completion of these returns was attended with great labour, and they continue to this day to be highly useful. The nicety of his calculations, and perfect knowledge of the business, is attested by a venerable living witness, who, about the year 1769, accompanied him in the survey of a tract of land in Scituate. Having passed through a thick shrubby plain, Mr. Hopkins found that his watch, which cost twenty-five guineas in London, was missing. Supposing that the chain had become entangled in the bushes, and the watch thereby pulled from his pocket, he set the course back, and found it hanging on a bush.

In 1741, he was again a representative of Scituate in the general assembly, of which he was chosen speaker. In 1742, he sold his farm and removed to Providence, where he commenced business as a merchant; building, owning, and fitting out vessels. In the same year, the general confidence reposed in his abilities and integrity, was evinced by his appointment to represent the town into which he had just removed his residence, in the assembly, of which he was again elected speaker. After an interval of one year, he was again chosen a representative in 1744, as well as speaker of the house; and in the same year, was appointed a justice in Providence. In 1746, being re-elected to the same responsible stations, he continued faithfully to discharge their duties, during the years 1747, 1748, and 1749. In May, 1751, he was, for the fourteenth time, a representative in the assembly, and in the same year, received the appointment of chief justice of the superior court, which he continued to hold until the year 1754.

In the year 1754, a convention of delegates from the different colonies was appointed to meet at Albany, to hold a conference with the Five Nations of Indians, on the subject of French encroachment, and to secure their friendship in the approaching war. Availing themselves of this opportunity, the governors of the different colonies, at the recommendation of Governor Shirley, of Massachusetts, advised their commissioners, in general terms, of a proposed plan of union; but no direct authority for concerting any sys-

tem, was given by any other of the colonies than Massachusetts and Maryland. The meeting of the delegates was held on the eleventh of July, and after the business with the Indians had been concluded, a committee, consisting of one member from each colony, was directed to prepare and report a plan of union. The essential principles of the plan reported, and afterwards agreed to on the fourth of July, were objected to, both in America and England; and it consequently did not prevail.—Mr. Hopkins was a commissioner to this congress from Rhode Island.

In the month of May, 1756, he was elevated to the office of chief magistrate of the colony of Rhode Island, and continued to occupy this dignified station, at intervals, for seven years. In 1758, he was again elected, and served thereafter with firmness and justice, during the years 1759, 1760, 1761, 1763, 1764, and 1767. His conduct as governor was dignified and decided. Keeping a single eye towards the prosperity of his native country, he did not hesitate to urge and support whatever measures appeared best calculated to promote the colonial interest, nor to resist every encroachment on the just rights and liberties of his constituents. During a long period, he was engaged in a party contest, grounded upon no real principle discoverable to a modern eye, with Governor Ward, in which he was annually alternately successful, or defeated. But if Mr. Hopkins, from a conscientious belief in the propriety of his political views, was opposed to particular men and measures, he was neither so bigoted nor ambitious, as to set forth his own particular opinions, or personal aggrandizement, in array against the peace and prosperity of the colony; and the real nobility of soul and character, with which, like the illustrious Roman, he voluntarily resigned the reins of government, and retired (for a season) to private life, in order to appease the passions of party, constitute one of the brightest incidents of his life.—In the year 1767, while Mr. Hopkins filled the executive chair, the politics of the colony were carried to great excess. Impressed with the danger to be apprehended from these growing animosities, and anxious to conciliate and unite the contending factions which had so long distracted the province, he nobly resolved to retire from the office of governor, rather than be, in any way, instrumental in fostering the spirit which then prevailed. In a message, therefore, to the general assembly, dated the twenty-eighth of October, 1767, he included the following remarks:—“Thirdly, I must mention the different strifes and party disputes, that have so long divided and harassed this unhappy colony, and

desire you to discover some method to heal our breaches, prevent animosities, and introduce peace and harmony, and consequently happiness, among the people. In order to this, I am willing and ready, and freely offer, to resign and give up the office (of governor) that I sustain, and do every, and any other thing, in my power, that may, in any way, contribute towards so desirable an end, as the peace of the colony. Neither do I believe this to be a business unbecoming the dignity of the general assembly; but trust that, by their care and wisdom, assisted by the sober and well-meaning part of the people, peace may be restored to the colony, authority to its magistrates, and harmony among its inhabitants."—Nor was his pen otherwise idle in support of so desirable a consummation. The essays which he composed on the subject, display considerable merit, united with decision, and unsparing, but dignified severity. "When we draw aside," he remarked, "the veil of words and professions, when we attend to what is done, not to what is said, we shall find, in the present age of our country, that liberty is only a cant term of faction, and freedom of speaking and acting, used only to serve private interest and a party.—What else can be the cause of our unhappy disputes? What other reason for the continual struggle for superiority and office? What other motive for the flood of calumny and reproach cast on each other?—Behold! the leading men meeting in cabals, and from thence dispersing themselves to the several quarters to delude and deceive the people. The people are called together in tippling-houses, their business neglected, their morals corrupted, themselves deluded; some promised offices for which they are unfit; and those who have disputes with their neighbours are assured of their causes, whether they be right or wrong: those with whom these arts will not prevail, are tempted with the wages of unrighteousness, and offered a bribe to falsify their oath, and betray their country. By these scandalous practices, elections are carried, and officers appointed.—It makes little difference whether the officer who, in this manner, obtains his place, is otherwise a good man, or not; for, put in by a party, he must do what they order, without being permitted to examine the rectitude even of his own actions. The unhappy malady runs through the whole constitution: men in authority are not revered, and, therefore, lose all power to do good; the courts of judicature catch the infection, and the sacred balance of justice does not hang even; all complain of the present administration, all cry out the times are hard, and all wish they might grow better; but complaints are weak, wishes

are idle, cries are vain, even prayers will be ineffectual, if we do not universally amend:—but no friend, no patriot, will step in, and save the commonwealth from ruin. Will no good Samaritan come by, and pour in the wine and oil into the bleeding wounds of his country?”—In the person of Stephen Hopkins, were united the friend, the patriot, and the good Samaritan. Urging, and obtaining, the co-operation of his friends, in the great task of effecting an union of clashing sentiments and interests, his perseverance and industry at length prevailed, after great labour and difficulty, and the two parties united in choosing a third person, not particularly attached to either of them, as governor of the colony: this event, together with a fair division of offices, was followed by peace and harmony, and the spirit of party in a great measure subsided.

Governor Hopkins was, whether right or wrong, the founder of that measure so fiercely reprobated and resisted by the British ministry;—furnishing the French and Spanish colonies with provisions and supplies, during war; and, for that purpose, he was accustomed to grant licenses to the vessels of Rhode Island.—A trade had been, for a long time, carried on between the British and Spanish colonies in America, to the great advantage of both, but particularly of the former. This trade did not clash with the spirit of any act of parliament made for the regulation of the British plantation trade. Besides this trade carried on between the British American colonies in general, there had, also, for a long time, subsisted one, equally extensive, between the British North American colonies in particular, and the French West India ones, to the great benefit of both, as it consisted of such goods, as must otherwise have remained a drug, if not an encumbrance, upon the hands of the possessors; so that it united, in the strictest sense, all those benefits which liberal minds include in the idea of a well-regulated commerce, as tending, in the highest degree, to the mutual welfare of those who carry it on. The mother country enjoyed a sufficient share of the benefits derived from this trade, to wink at it, although it was not strictly according to law; and it was permitted to be carried on, for a long time, even after hostilities had commenced between Great Britain and France directly, by means of flags of truce, and, in a circuitous manner, through the Dutch and Danish Islands. At length, the vast advantages which the French received from it above what the British could expect, in consequence of all their West India Islands being, in a great measure, blockaded, determined the government to put a stop to it.—The correspondence of Governor Hopkins with

Mr. Pitt, on this occasion, exhibited uncommon marks of a bold and independent spirit; and the answers of the minister were characteristic of his usual firmness and sagacity.

When the difficulties between the colonies and Great Britain began to grow more certain and alarming, Governor Hopkins evinced the same determined zeal for the rights and prosperity of the former, and took an early, active, and decided part in their favour. In 1765, he wrote a sensible pamphlet, containing about twenty-four pages, quarto, in support of the rights and claims of the colonies, and entitled, "The Rights of the Colonies examined," which was read before the general assembly, and by them ordered to be printed. Although this pamphlet was principally directed against the stamp act, passed in the preceding, and repealed in the succeeding years, yet it embraced pertinent remarks on the court of admiralty, trials by jury, the sugar and molasses duty act, &c.

In 1757, during the French war, Mr. Hopkins was active and prominent in efforts to raise the inhabitants of the colony against the enemy.

He was chosen to command a company of volunteers, composed of almost all the leading men in the town of Providence. The militia of the state, under Colonel John Andrews, had already marched, and the volunteers were preparing to follow them, when, on the day preceding their intended departure, an express arrived with intelligence that their services were no longer necessary. The return of Lord Loudoun to New York, with the regular army, had removed all fear of an invasion; the militia of Rhode Island returned, and the heavy affliction created among the families and friends of the fathers of the town and their associate volunteers, was dispelled.

Mr. Hopkins again appeared in the general assembly, as a representative from Providence, in 1772, 1773, 1774, and 1775; although, during the last two years, he was also a delegate to the general congress. Having, in 1775, been a second time appointed chief justice of the superior court, he presented, in his person, the singular spectacle of an individual holding, at the same instant, the three honourable and important offices of member of assembly, delegate to congress, and chief justice.

On the tenth of August, 1774, he was appointed, together with the honourable Samuel Ward, to represent the colony of Rhode Island, in the general congress which met in Philadelphia on the fifth of September. Mr. Hopkins took his seat in that august assembly, on the first day of its session, and was a member of the first two committees, appointed by congress;—the one to state the

rights of the colonies in general, the several instances in which those rights were violated or infringed, and the means most proper to be pursued for obtaining a restoration of them;—the other, to examine and report the several statutes affecting the trade and manufactures of the colonies.

But while he principally assisted in the general council of the nation, in 1774 his services were extended to the assembly of Rhode Island, of which he was also a member. It was principally owing to his influence and exertions, that an act, the preamble and body of which were dictated by him, was passed by that assembly, in June, 1774, prohibiting the importation of negroes into the colony.

But it was not only by precept, but example, that his views of slavery were demonstrated. In the year 1773, he emancipated a number of people of colour whom he had before held as slaves; and previous to that period, he had decreed their freedom, by his last will and testament. Many of their descendants are now living, as free men and women, in Providence, of good character, and in easy circumstances.

At this period, Mr. Hopkins was also one of the committee of safety of the town of Providence. On the seventh of May, 1775, he was re-elected a delegate, and on the eighteenth of that month, took his seat in the second congress; being, at the same time, a representative in the legislature of his native state. On the fourth of May, 1776, he was again elected, with Mr. Ellery, to congress, bearing with him to the seat of the general government, the most firm and energetic instructions. Thus he was a member of that immortal congress which declared the colonies to be free, sovereign, and independent states; and his signature is attached to that sublime and imperishable instrument which has no prototype in the archives of nations. His signature indicating on the declaration of independence, a very tremulous hand, in perfect contrast with the bold, nervous, and prominent, writing of the president, (which has been alluded to in exemplification of his character,) it may have engendered surmises unfavourable to the determined spirit of Mr. Hopkins, as acting under the influence of fear. It is, therefore, proper to state, that, for a number of years previous, he had been afflicted with a nervous affection; and when he wrote at all, which was seldom, he was compelled to guide his right hand with the left. The venerable Moses Brown, of Providence, has, on various occasions, acted as his amanuensis, on committees of the assembly, in the correspondence of the committee of safety, as well as in matters of business. In this manner he drew up the act of assembly, of

1774, against the slave trade, while Mr. Hopkins, during his dictation, was walking to and fro in the room.

In 1776, he was chosen a commissioner to meet delegates from the states of New Hampshire, Massachusetts, and Connecticut, and advise and consult on ways and means, more immediately for the defence and protection of the New England States, and, generally, for the promotion and defence of the common cause. These commissioners met in Providence, and elected Mr. Hopkins their president. In the following year, he also presided over the meeting of commissioners, held at Springfield, in Massachusetts, on the thirtieth of July.

After the intervention of a year, he was, for the last time, elected a deputy to congress, on the eighth of May, 1778; and, during the years 1777, 1778, and 1779, served with untiring zeal in the general assembly of Rhode Island, although he was now seventy-two years of age.—He discharged his congressional duties with great ability and faithfulness, and with equal advantage to his own reputation and to the public interest. Being professionally conversant with the business of shipping, he was particularly useful in the committees appointed to fit out armed vessels, to devise ways and means for furnishing the colonies with a naval armament, and in the deliberations on the rules and orders for the regulation of the navy. He was also a distinguished member of the committee, appointed in June, 1776, to prepare and digest the form of a confederation to be entered into between the colonies, which, although it proved, under future circumstances, to be but a rope of sand, was, at the time in which it was completed, of vast importance to the unanimity, and consequent success, of the revolutionary struggle.

Mr. Hopkins was one of those strong-minded men, who, by pure love of learning, and devotedness to study, have overcome the deficiencies of early education; and, it cannot be questioned, although, in most cases, preliminary instruction to a certain extent is indispensable, that information voluntarily acquired is more strongly impressed upon the mind, and invites a more thorough investigation, than general tuition at all seasons and on all subjects, which is not unfrequently regarded with apathy and indifference. A common country school education, at that period, afforded little more than a knowledge of reading and writing. Upon this foundation, Mr. Hopkins, from the vigour of his understanding, and the intuitive energy of his mind, established a character not only prominent in the annals of his country, but in the walks of literature. Possessing

a commanding genius, his constant and assiduous application in the pursuit of knowledge eminently distinguished him in the first class of literati. A leading and active promoter of literary and scientific intelligence, he attached himself in early youth to the study of books and men, and continued to be a constant and improving reader, a close and careful observer, until the period of his death. Holding all abridgments and abridgers in very low estimation, it is cited, in exemplification of his habitual deep research, and the indefatigability with which he penetrated the recesses, instead of skimming the surface of things, that, instead of depending upon summaries, and concentrated authorities, he perseveringly perused the whole of the great collection of ancient and modern history, compiled about half a century ago, by some distinguished scholars in Europe; and that he also read through all of *Thurloe's*, and other ponderous collections of state-papers. The advantages derived from this assiduity were, to him, particularly extensive, owing to his retentive memory, and ready recollection. An instance of this nature has been preserved: at a meeting of the owners of a vessel, of whom he was one, Mr. Hopkins sat down and made out his account, without any reference whatever to his books, although it necessarily included many items of small amount and consequence.—As a public speaker, he was an example worthy of imitation: always to the point, clear, concise, pertinent, and powerful; his eloquence was sometimes energetic, but generally calm, rational, and convincing;—never excursive, but commonly short and pithy. Skilled in many branches of the liberal arts, the poem on the untimely fate of his son, murdered by the Indians, which has descended to our times, affords no indication of the possession of poetic talent.

Mr. Hopkins was esteemed an excellent mathematician. He greatly assisted in the important observations on the transit of Venus over the sun's disk, in June, 1769, a rare phenomenon, of the greatest consequence, because it affords the best, and indeed the only accurate method of determining that most important problem in astronomy, the sun's parallax, or the angle under which the earth's semi-diameter appears from the sun; and it is only by a knowledge of the sun's distance from the earth, in some known measure, that a knowledge of the true dimensions of the solar system can be acquired. The first transit of Venus was observed in 1739; and only two have since happened; the first in 1761, and the last in 1769.

Mr. Hopkins was instrumental in forming a public library in Providence, about the year 1750; and, when it was destroyed by fire, in the

winter of 1760, was equally active and useful in promoting its re-establishment.—He was a member of the American Philosophical Society, and, for many years, chancellor of the college of Rhode Island.

But it was in the character of the statesman and the patriot, that Mr. Hopkins was most conspicuous. In an age fruitful in the production of eminent men, he was one among the most eminent. Warmed by an inextinguishable love of liberty, and considering the happiness of his country as the first object of pursuit, he obtained a perfect acquaintance with the history of mankind, the policies of the civilized world, the principles and systems of law, and the profound art of governing the hearts, as well as the persons of men.

Possessed of a sound, discriminating mind, and a clear and comprehensive understanding, he was alike distinguished for his public and private virtues, being as useful a private citizen, as he was an able and faithful public officer. An universal benevolence adorned his virtues, and his great study and delight was in doing good. Candid and upright in all his dealings with the world, he was more attentive to the concerns of his public stations, than to his pecuniary and private affairs. It is the testimony of a survivor, who was intimately acquainted with him during the last forty-five years of his life, that they were passed in a “useful and honourable manner.” A friend to the poor, the fatherless, and the widow, he often tenderly advised and counselled them; maintaining their rights, and ministering to their comforts. Free of access, open and candid in his manners, his doors were as open as his heart to the voice and relief of affliction; and so genuine was his charity, that it was remarked by his friends, that he conferred more benefits on his political enemies than on them. An affectionate husband, and a tender parent, he was greatly attached to the regular habits of domestic life. Exemplary, quiet, and serene in his family, he governed his children and domestics in an easy and affectionate manner. A visit which General Washington made, unattended, to Governor Hopkins, is stated by a living witness of the interview, to have strongly exhibited the simple, friendly, pleasant, and easy manners of those illustrious men.—Although his pecuniary circumstances were comparatively small, particularly considering his abilities and station in life, yet he possessed a competency; and visitors, particularly travelling ministers, &c. of the society of Friends, were always kindly welcomed and entertained at his hospitable mansion.

Stephen Hopkins, although sectional spirit endeavoured ineffectually to brand him with the eternal stigma of infidelity, was a firm

believer in the Christian religion; and he has been heard by a friend, now living, to confound gainsayers by the force of his arguments in support of it.

Governor Hopkins professed the principles of the society of Friends, at whose places of worship he was a regular attendant; and his second marriage took place in Friend's meeting, although he does not appear to have held the right of membership. His house was the resort of the ministers, elders, and other members, engaged in religious visits; and the usual place of meeting in Providence being contracted, the general religious meetings of the society were, in the winter season, frequently held at his dwelling.

He was a perfect man of business; having been extensively engaged in trade and navigation, and also concerned in agriculture and manufactures. As a farmer, he devoted himself, when disengaged from public affairs, to the practical parts of agriculture; as a merchant, he was skilled in almost all kinds of commerce; and, as a manufacturer, he was concerned in iron works, which made pig-iron, hollow-ware, cannon for the United States, &c. He pursued these employments with various success, without having become rich, nor yet destitute of the comforts of life.

In the year 1726, he married Sarah Scott, the paternal great-grandfather of whom was the first settler, of the society of Friends, in Providence. She died of a lingering disorder, on the ninth of September, 1753, in the forty-seventh year of her age.

On the second of January, 1755, Governor Hopkins found a second wife in the person of Anna Smith, widow of Benjamin Smith. She was a pious and amiable woman, and a member of the society of Friends, according to whose regulations the marriage ceremony was performed.—In person, he was of the middle size, well formed and proportioned; his manners were mild and unostentatious; and his features manly, comely, and prepossessing.

This great and good man closed his long, honourable, and useful life, on the thirteenth of July, 1785, in the seventy-ninth year of his age. His last illness was a lingering fever, slow in its advances, and mild in its features; and he retained full possession of his faculties and tranquillity, to the period of his dissolution. A full persuasion of the unbounded goodness of the Deity brightened the prospect of his future happiness. As in life he had despised the follies, so in death he rose superior to the fears, of an ignorant and licentious world; and he expected with patience, and met with pious and philosophic intrepidity, the stroke of death.

WILLIAM ELLERY.

WILLIAM ELLERY the elder was descended from a family originally of Bristol, in England, which settled in the latter part of the seventeenth century at Newport, in Rhode Island. He held successively the offices of judge, senator, and lieutenant-governor of the colony, and died in 1764.

WILLIAM ELLERY, the son of this gentleman, and the subject of the following memoir, was born at Newport, on the twenty-second of December, 1727. His early education he received chiefly from his father, who devoted to it much time and sedulous attention. When he had arrived at the age requisite for his admission into a university, he was sent to Harvard college, an institution which even at that early period had obtained the celebrity which it still continues to enjoy. Here he remained until the twentieth year of his age, and during his collegiate course bore the character of a zealous student; not, however, indisposed to partake of the amusements natural to his years, and to which the vivacity of his disposition inclined him. The Greek and Latin languages were the favourite objects of his pursuit; these he studied with great fidelity, and made himself so good a scholar in them, that during all the engagements and bustle of his subsequent life, he retained not merely his fondness for them, and general acquaintance with classical literature, but much critical accuracy and correct grammatical knowledge. In the year 1747, he commenced bachelor of arts and left Cambridge. Immediately on his return to Newport, he set himself to the study of the law, to the practice of which he was afterwards admitted.

Mr. Ellery pursued the practice of the law for about twenty years, devoting himself to it, during that period, with great zeal. Few particulars, however, of this part of his life have descended to us, lost as they have been in the lapse of time, or obscured by subsequent events of more general interest than the details of domestic duties. He succeeded, however, in attaining the two objects which are most dear to a man of honourable ambition and independent



WILLIAM ELLERY

feelings, a competent fortune, and that rank and esteem among his fellow citizens, which, while it secured their affection, taught them to look up to him with confidence in times of difficulty.

Of these feelings he was soon destined to receive a decided proof. The aggressions of the mother country were becoming every day more violent, and all prudent and thinking men began to look round and inquire what was to be the result.

As soon as the idea had been suggested of a general meeting of delegates from all the provinces, by the formation of a continental congress, Rhode Island cheerfully fell in with the proposition, and sent two of her most distinguished citizens, Governor Hopkins and Mr. Ward, to represent her in that venerable body. In her instructions to these gentlemen, we find nothing expressed of that anxious desire to conciliate the British government, which is visible in those of some of the other colonies—not indeed that any were disposed to surrender their liberties, whatever might be the peril, yet some were certainly more desirous than others, that no opening should be given to accuse them of defection from their union with the mother country. Rhode Island simply directed her delegates to “meet and join with the commissioners or delegates from the other colonies, in consulting upon proper measures to obtain a repeal of the several acts of the British parliament, for levying taxes upon his majesty’s subjects in America, without their consent, and particularly an act lately passed for blocking up the port of Boston, and upon proper measures to establish the rights and liberties of the colonies, upon a just and solid foundation.”

Finding, however, that nothing short of resolute measures would be of any avail, it was determined by the province, that her delegates should carry to the congress which met in the spring of 1776, the strongest powers to adopt them; and in order that they might not want the sanction of her actions, as well as her declarations. she anticipated congress in the assertion of independence; for by a solemn act of her general assembly, she dissolved all connexion with Great Britain, in the month of May. She withdrew her allegiance from the king, and renounced his government for ever, and, in a declaration of independence, put down in a condensed, logical statement, her unanswerable reasons for so doing.

To fulfil her wishes, to carry out the plans which she had thus commenced, Rhode Island selected as her representatives, her former delegate Governor Hopkins, and WILLIAM ELLERY, the subject of this notice. Ever since Mr. Ellery had been engaged in the

practice of the law, he had been very prominent in the vigorous and patriotic measures adopted to resist the British government; there was scarcely an important transaction of the time in which he had not borne a leading part. Fully impressed with the solemn trust delegated to him, and prepared to assert and support in their fullest extent the wishes and views of his constituents, he took his seat in congress on the fourteenth of May, 1776; being authorized and empowered to consult and advise with the other delegates, upon the most proper measures for promoting and confirming the strictest union and confederation between the United Colonies, for exerting their whole strength and force to annoy the common enemy, and for securing to the colonies their rights and liberties, both civil and religious, whether by entering into treaties with any prince, state, or potentate, or by such other prudent and effectual ways and means as should be devised and agreed on; and, in conjunction with the delegates from the United Colonies, or the major part of them, to enter into and adopt all such measures, taking the greatest care to secure to the colony, in the strongest and most perfect manner, its established form, and all the powers of government, so far as related to its internal police and conduct of its own affairs, civil and religious. They were also instructed and directed to exert their utmost abilities, in carrying on the just and necessary war, in which they were engaged against cruel and unnatural enemies, in the most vigorous manner, until peace should be restored to the colonies, and their rights and liberties secured upon a solid and permanent basis.

By referring to the journals of congress, we find that while Mr. Ellery remained in that body, he was a member of many important committees, and it is well known that he was a very active and influential member of the house. He was on the committee appointed to consider the ways and means of establishing expresses between the several continental posts; on that to consider what provision ought to be made for such as are wounded or disabled in the land or sea service; on the treasury committee; on a grand committee, consisting of one delegate from each state, who had authority to employ proper persons to purchase, in their respective states, a sufficient number of blankets and woollens fit for soldiers' clothes, and to take the most effectual and speedy methods for getting such woollens made up, and distributed among the regular continental army, in such proportion as would best promote the public service: and also to purchase all other necessary clothing for the soldiers. in

such proportions as they judged, upon the best information, would be wanted; on the committee on marine affairs, of which he was always a particularly useful and active member; indeed, it was the wish of his state, that in this respect her delegates should take a high ground in congress, and urge on that body the propriety, and in their present circumstances, the evident advantage of giving to the war a naval cast. Distinguished for her commercial marine, and for the enterprize and intrepidity of her mariners, she felt the necessity and urged the expediency of naval military exertion. The first little fleet, the germ of our present naval character and fame, was commanded by a native Rhode Islander, Commodore Ezek Hopkins, a brother of the subject of the preceding memoir, who surprised New Providence, captured the governor, lieutenant-governor, and other officers of the crown, seized a hundred pieces of cannon, and carried off all the munitions of war from the island.

It was during this session of congress, too, that Mr. Ellery affixed his name to the Declaration of Independence; and his fine bold signature is in striking contrast with the tremulous characters of his colleague, whose limbs trembled with age and illness, while his spirit was as bold and his intellect as vivid as any of those around him. He was fond, in his later years, of relating the events and characteristic anecdotes of the times about which we are speaking, and had they been preserved, they would have afforded a rich fund of interest to our own and future generations; but unfortunately, even tradition itself has retained but few of them, and, as in many other instances, we are left to cold generalities, where it would be delightful to dwell on minute incidents. He often spoke of the signing of the declaration; and he spoke of it as an event which many regarded with awe, perhaps with uncertainty, but none with fear. "I was determined," he used to say, "to see how they all looked, as they signed what might be their death warrant. I placed myself beside the secretary, Charles Thomson, and eyed each closely as he affixed his name to the document. Undaunted resolution was displayed in every countenance."

During the year 1777, we find Mr. Ellery still a member of congress, not less useful than before. Following up the peculiar wishes and views of his state, he continued to pay great attention to naval affairs, and early in the year we find him appointed on a committee, to which seem to have been intrusted all the admiralty transactions of the government; they were appointed to hear and determine upon appeals brought against sentences passed on libels in the

courts of admiralty in the respective states, agreeably to the resolutions of congress; and the several appeals, when lodged with the secretary, were to be by him delivered to them for their final determination. Among other duties assigned him this year, we may mention that of devising ways and means to support the continental currency and replenish the exhausted treasury; that of affording aid and assistance to officers who had been taken prisoners and released on parole; superintending the commercial affairs of the country; investigating the unfortunate occurrences which attended the capture of Ticonderoga; preventing the admission into offices of trust of persons secretly hostile to the government; and various others, requiring great attention and industry. To these we may add a plan relative to his own state, brought forward by the marine committee, of which we have seen he was a member, and no doubt at his instance.

While Mr. Ellery was thus exerting himself for the public good, he was destined also to suffer for it. The British army, under General Piggot, had seized Rhode Island, taken possession of Newport, and fortifying themselves in an advantageous position, made it the head quarters of a large portion of their force. With a foreign army thus among them, it is not to be supposed that the whole population of the island did not suffer; but the vengeance of the officers and soldiers was particularly directed against those who had taken a leading part in the revolutionary conflict, especially the delegates in congress. This Mr. Ellery felt in the injury of much of his property in and around Newport, and the burning of his dwelling-house in that place. His ardour, however, in the cause remained unabated, and he determined at all hazards to adhere to the congress, where he believed himself useful. His old companion in that body, Governor Hopkins, had retired; but being solicited by his countrymen to remain, he determined to do so, leaving the protection of his property to their care or to chance.

During the whole of the year 1778, with the exception of a few weeks of the summer passed in Rhode Island, Mr. Ellery was a faithful attendant in congress, pursuing the same useful course which had marked all his political career. To trace him through this would lead us too much into detail, and it seems proper rather to pass them over in a general notice, than to enter into the minute particulars of events, which were in their nature and consequences connected more with the history of the nation than the private life of an individual. We may, however, mention with just praise, the

efforts and arguments of Mr. Ellery in the cause of a portion of his countrymen who suffered under a mode of warfare equal dishonourable and cruel, that of seizing them in their homes and carrying them off to the enemy. This practice had proceeded to great lengths, so as to render a residence on the sea-board terrifying to the most resolute; and no measures seemed too severe, which could put a stop to such a horrible system. Mr. Ellery therefore urged the subject with all his powers on the attention of congress, and aided by several of the most distinguished members of that body, was fortunate enough to obtain the passage of the following resolution on the subject. "Whereas a few deluded inhabitants of these states, prompted thereto by the arts of the enemy, have associated together for the purpose of seizing and secretly conveying to places in possession of the British forces, such of the loyal citizens, officers and soldiers of these states, as may fall into their power; and being assisted by parties furnished by the enemy, have in several instances carried their nefarious designs into execution; and such practices being contrary to their allegiance as subjects, and repugnant to the rules of war; Resolved, that whatever inhabitant of these states shall kill or seize, or take any loyal citizen or citizens thereof, and convey him, her, or them, to any place within the power of the enemy, or shall enter into any combination for such purpose, or attempt to carry the same into execution, or hath assisted or shall assist therein; or shall, by giving intelligence, acting as a guide, or in any other manner whatever, aid the enemy in the perpetration thereof, he shall suffer death by the judgment of a court-martial, as a traitor, assassin and spy, if the offence be committed within seventy miles of the head quarters of the grand or other armies of these states, where a general officer commands."

In the month of June, in this year, Mr. Ellery, with the other delegates in Congress, ratified the articles of confederation on behalf of Rhode Island, having received from their constituents authority so to do.

We have noticed the absence of Mr. Ellery from congress during a part of the summer of this year. His object in returning home, was not, however, on his private business, but it was to assist and co-operate with some of the patriots of the state, in arranging a plan to drive out the British army stationed there.

Circumstances, however, did not permit the execution of a design thus resolutely formed; for it was found, after the desertion of the harbour of Newport by the French fleet, that the British were receiv-

ing constant supplies; so as to render them considerably superior in men and resources to the Americans. It was therefore wisely resolved to quit the lines which they had formed around Newport; which they did on the night of the twentieth of August. General Sullivan retreated with great order; but he had not been five hours at the north end of the island, when his troops were fired upon by the British, who had pursued them, on discovering their retreat. The pursuit was made by two parties, and on two roads; to one was opposed Colonel Henry B. Livingston, to the other John Laurens, aid-de-camp to General Washington, and each of them had a command of light troops. In the first instance, these light troops were compelled by superior numbers to give way; but they kept up a retreating fire. On being re-inforced, they gave their pursuers a check, and at length repulsed them. By degrees the action became in some respects general, and near twelve hundred Americans were engaged. The loss on each side was between two and three hundred.

On the following day, a cannonade was kept up by both armies, but neither chose to attack the other. The British waited for a re-inforcement, which they every moment expected, and General Sullivan was on the watch for the first favourable moment to withdraw his troops from the island. Throughout the day he continued to take those measures which were calculated to produce an impression of his being determined to maintain his ground. About six in the afternoon of the thirtieth, his orders to prepare for a retreat were given, and his whole army crossed over, and had disembarked on the continent about Tiverton, by two in the morning, without having created in the enemy the slightest suspicion, that he had contemplated the movement which was now completed. The troops were stationed along the coast from Tiverton to Providence.

Never was retreat more fortunate. The next day sir Harry Clinton arrived, and the return of the American army to the continent would have become impracticable.

The conduct of Sullivan was highly approved by the commander-in-chief, and by congress. A resolution passed in that body, declaring his retreat to have been "prudent, timely, and well conducted." They also voted their thanks to the general and the army under his command, for their fortitude and bravery, in the action of the twenty-ninth of August.

Thus ended the expedition on Rhode Island, the success of which had been generally considered certain. Its failure was indeed

unfortunate, but it was to be attributed to one of those accidents which so often derange military plans; and however much it is to be regretted that the Count D'Estaing deemed it his duty to remove his fleet from Narragansett bay, his subsequent conduct proves that he entertained towards this country feelings full of gallantry and kindness. Shortly after the failure of the expedition Mr. Ellery returned to Philadelphia, and resumed his seat in congress.

In January, 1779, Mr. Ellery was appointed by congress a member of a large committee, to which was intrusted the delicate task of arranging and settling some diplomatic difficulties which had occurred among the commissioners sent by the United States to Europe; and received at the same time full authority to enter into the whole subject of our foreign relations. This was speedily followed by his being made chairman of a committee to take into consideration the distresses of many of the inhabitants of his own state, caused by the occupation of it by the British, and he brought into congress a strong report on the subject, which induced them to pass the following resolution: "Whereas, the delegates of the state of Rhode Island and Providence Plantations, in pursuance of an express vote of the general assembly of the said state, have represented to congress that many of its inhabitants, especially those who have come off from the island of Rhode Island, must inevitably perish unless they are speedily supplied with the necessaries of life, and have in the strongest terms requested us to recommend to the states of Connecticut and New York to repeal their acts laying an embargo on provisions, so far as respects supplying the said inhabitants with provisions by land: Resolved, that the president write to the governors of the states of Connecticut and New York, requesting them to afford such supplies of flour and other provisions, for the distressed inhabitants of the state of Rhode Island and Providence Plantations, as their necessities call for, so far as circumstances will admit, and under such regulations as may best answer the end proposed."

During his attendance on congress this year, and it was with very little interruption constant, Mr. Ellery devoted much of his time to the standing committees of which he was a member, especially those relative to appeals and admiralty transactions; this, owing to the loose constitution of the government under the articles of confederation, was absolute necessary, as it formed, in fact, the executive power, and through this medium all the public affairs were transacted. Sometimes, indeed, it led into difficulties, especially

when any circumstance occurred which seemed to lead to a conflict between the powers of congress and of the individual states; and the arrangement was often one of delicacy and importance. Such had nearly been the case during the present year, relative to some proceedings of the admiralty court of Pennsylvania; and on its coming to the knowledge of congress, it was without delay referred to a committee, of which Mr. Ellery was a principal member. In reporting afterwards on the subject, he laid before the house a succinct statement of all the facts that had occurred, showed the propriety and indeed necessity that there was of an appeal to the general government, in all cases in which questions touching our relations with foreign countries might arise; and concluded with a series of propositions, so evidently consistent with the system which had been previously organized, as to meet the immediate approbation of congress, and set the affair entirely at rest.

In the spring of this year, Mr. Ellery had the painful duty intrusted to him, as a chairman of a committee of congress, of exercising, from motives of policy, a course of conduct deeply at variance with his feelings and inclination. The Bermuda islands, placed far in the Atlantic, small, barren and unprotected, ravaged by the fiercest tempests, and exposed to the incursions of every enemy, had always depended for absolute subsistence on the American colonies. By the war, their intercourse had been destroyed, and reduced to the extremity of distress, they sought from the compassion of congress that aid which distress alone entitled them to receive. Their petition was referred to Mr. Ellery and two other members, who deliberated upon it, with every wish to extend their assistance to the suffering islanders. Finding, however, that British vessels of war were stationed at the island; that it was garrisoned by British troops; and that it was doubtful whether the provisions they might send would ever reach those whose sufferings they were intended to relieve, they expressed their opinion to congress, that so long as Bermuda should continue to be guarded by British ships and garrisoned by British soldiers, how powerfully soever humanity might plead in their behalf, and the disposition of congress incline them to relieve the distresses of Bermuda, yet sound policy and the duty they owed to their constituents, constrained them to refuse a compliance with the request of the memorialists. Whether, however, some incident occurred, which rendered the probability of assistance being more effectual, or the solicitations of the poor islanders were renewed, or for what other cause, is not apparent,

yet little more than a week elapsed after this recommendation, when Mr. Ellery brought up one of a different character, and more consonant to his wishes; in it he represented to the house, "that from a re-consideration of the deplorable circumstances of those unhappy persons, who are deprived, as it hath been represented to your committee, of the means of supplying themselves with bread, which are allowed to other inhabitants who openly profess their attachment to the enemies of these states, they are of opinion, that it be recommended to the executive powers of the states of Pennsylvania, Delaware, Maryland, Virginia and North Carolina, respectively, to permit one thousand bushels of Indian corn to be exported from each of the said states, for the relief of the distressed inhabitants of those islands." Congress, however, still deemed the measure inexpedient; fearful that while it did not answer the ends for which it was undertaken, it might involve them in disagreeable results, and interfere with the course which they had hitherto adopted in the conduct of the war. They therefore took the report of the committee into consideration, and after much discussion, resolved that they would not at that time proceed farther in the matter.

We have already alluded to the vivacity and sprightliness of Mr. Ellery's disposition. This was constantly displayed throughout his life; and even in the severest times, he often enlivened the discussions of congress by his ready wit. It is seldom, however, that genius of this kind can be sufficiently or properly appreciated by posterity; arising out of some accident or circumstance of the day, depending on some local or temporary allusion, struck off in the ardour of conversation, it passes away, leaving indeed to the individual from whose happy genius it has sprung, the reputation of a wit, but to those who have not heard it, nothing by which to know or taste its excellence.

In the year 1781, Mr. Ellery did not take his seat in congress until the nineteenth of November, when he appeared there with his colleague, Mr. Cornell. Before he had been many weeks in the house, the old subject of admiralty jurisdiction again occurred, and he found that it was necessary to form some plan, by which the conflicting interests or feelings of the general government, and the separate states might be less excited. The matter being accordingly referred to him and two other gentlemen, was taken into consideration, with a determination to adopt some measure which would place it eventually at rest, and the following resolution was brought

in and passed by congress with that object. "To render more effectual the provision contained in the ordinance, ascertaining what captures on water shall be lawful, for the capture and condemnation of goods, wares, and merchandizes of the growth, produce or manufacture of Great Britain, or the territories depending thereon, in certain cases: Resolved, that it be earnestly recommended to the legislature of each state, to pass acts to be in force during the continuance of the present war, for the seizure and condemnation of all goods, wares, and merchandizes of the growth, produce or manufacture of Great Britain, or of any territory depending thereon, which shall be found on land within their respective jurisdictions, unless the same shall have been imported before the first day of March, 1782, or shall have been captured from the enemy."

In the month of February, 1782, we find Mr. Ellery a member of a very important committee, that on a plan for the settlement of public accounts, which at this period of the war had become so greatly deranged, as to render a general revision absolutely necessary. The committee brought in a long report, and congress passed several resolutions, conforming with their views. A few days after, as chairman of a committee to whom the subject had been referred, he presented, for the consideration of the house, a plan for instituting and organizing a department of foreign affairs—a branch of government long wanted, and now become absolutely necessary. In the succeeding year, Mr. Ellery had the satisfaction of acting as the organ of congress, in expressing to his noble fellow-citizen, General Greene, their sense and that of his country, for the benefit of his military services. This he did in the following resolutions, offered by a committee of which he was chairman: "Resolved, That two pieces of the field ordnance, taken from the British army at the Cowpens, Augusta, or Eutaw, be presented by the commander-in-chief of the armies of the United States, to Major-General Greene, as a public testimonial of the wisdom, fortitude, and military skill which distinguished his command in the southern department, and of the eminent services which, amidst complicated difficulties and dangers, and against an enemy greatly superior in numbers, he has successfully performed for his country: and that a memorandum be engraved on the side-pieces of ordnance, expressive of the substance of this resolution. Resolved, That the commander-in-chief be informed, that Major-General Greene hath the permission of congress to visit his family at Rhode Island."

In the year 1784, Mr. Ellery was a member of the committee to

whom was referred the definitive treaty of peace with Great Britain, and who recommended its ratification; he also continued zealously his labours on several other committees of importance, especially directing his attention to affairs of marine and finance; and when the grand committee of states was appointed to prepare and report to congress, an ordinance for making the necessary arrangements of the treasury, and for more particularly defining the powers of the board of treasury, and also to revise the institution of the office for foreign affairs, and of the war office, and to report such alterations as they might judge necessary, he was elected as the representative therein of his own state.

The year 1785 was the last during which Mr. Ellery remained a member of the old continental congress, and took a very active part in public affairs. Yet we cannot pass over the notice of his long services in this body without mentioning one act which attended its close, and which will render him ever dear to the friends of humanity; it was his seconding and supporting, with all his abilities, the following resolution, which was offered by Mr. King: "That there shall be neither slavery nor involuntary servitude in any of the states, described in the resolve of congress of the twenty-third of April, 1784, otherwise than in punishment of crimes, whereof the party shall have been personally guilty; and that this regulation shall be an article of compact, and remain a fundamental principle of the constitutions between the thirteen original states, and each of the states described in the said resolve of the twenty-third of April, 1784."

In the following spring, Mr. Ellery, having retired from public life, was elected by congress a commissioner of the continental loan-office for the state of Rhode Island; and soon after, by his own fellow citizens, chief justice of their superior court; a station, however, which he did not long retain. A few years after, and immediately on the organization of the federal government, he received from his old friend General Washington, the appointment of collector of the customs for his native town of Newport, and in that office he quietly spent the remainder of his days. Not desirous of wealth, the small revenues of his situation, added to what he had been able to save from neglect and destruction during the war, though from these he had severely suffered, afforded him a competence, and he passed happily and delightfully through the calm evening of a life, whose morning and noon had been devoted to the labours of industry, virtue, and patriotism. In small things he maintained the character he had won in greater, for in the whole of the period during which he

held his office in the customs—and it was thirty years—such was his prudence and punctuality, that the government suffered by the loss of but one bond, for two hundred dollars, and on that he had exercised the uncommon caution of taking five securities.

His death, which occurred on the fifteenth of February, 1820, and when he had passed the venerable age of ninety-two years, was in unison with his life; and as the circumstances have been related by a distinguished gentleman of Rhode Island, intimately acquainted with him, they present a picture as interesting as has ever been framed by romance, or handed down to us in the annals of ancient times. His end was, indeed, that of a philosopher. In truth, death, in its common form, never came near him. His strength wasted gradually for the last year, until he had not enough left to draw in his breath, and so he ceased to breathe. The day on which he died, he got up and dressed himself, took his old flag-bottomed chair, without arms, on which he had sat for more than half a century, and was reading Tully's Offices in the Latin, without glasses, though the print was as fine as that of the smallest pocket Bible. The physician stopped in on his way to the hospital, as he usually did; and, on perceiving that the old gentleman could scarcely raise his eye-lids to look at him, took his hand, and found that his pulse was gone. After drinking a little wine and water, the physician told him his pulse beat more strongly. "O! yes, doctor, I have a charming pulse. But," he continued, "it is idle to talk to me in this way. I am going off the stage of life, and it is a great blessing that I go free from sickness, pain, and sorrow." Some time after, his daughter, finding he had become extremely weak, wished him to be put to bed, which he at first objected to, saying he felt no pain, and there was no occasion for his doing so. Shortly afterwards, however, fearing he might possibly fall out of his chair, he told them they might place him upright in the bed, so that he could continue to read. They did so, and he continued reading Cicero very quietly for some time; presently they looked at him and found him dead, sitting in the same posture, with the book under his chin, as a man who becomes drowsy and goes to sleep.

"Of no distemper, of no blast he died,
But fell like autumn fruit that mellow'd long;
E'en wonder'd at because he falls no sooner.
Fate seem'd to wind him up for fourscore years,
Yet freshly ran he on twelve winters more:
Till like a clock, worn out with eating time,
The wheels of weary life at last stood still."

The preceding sketch of the incidents of Mr. Ellery's life will be sufficient to enable a reader to form a just estimate of his character and excellence; and with this it might be sufficient to commit this memoir, which can pretend to little merit, to the world. We have, however, been fortunate enough to obtain from one, who knew him well and long, some information which may tend more fully to develop his disposition and virtues, and with a summary of these, authentic as they are, we shall close our notice of his well-spent life. A firm whig under the colonial government, and of the Washington school under the federal, he was always attached ardently to a free, efficient, impartial, protecting government.—He studied the Scriptures with reverence, diligence, and a liberal spirit; feeling their value, seeking for the truth, and aiming at the obedience they require.

He was indeed tenacious of his own opinion; and some might have thought him obstinate where he was inflexible, and rash where he had been most patient and careful; and perhaps he was not always free from asperity towards others; and the calmness of his later years may have appeared to those who had long known him, more as the fruit of self-watchfulness, mellowed by age, than of a naturally gentle temper. But never was there a man more earnest for the right of others to their own judgment, more indignant at the pretensions of any man, or any set of men, to lord it in matters of religious or political opinion, or more happy at seeing all truth brought to the trial of fair discussion.

He was fond of profound study and of elegant literature, exercising his powers to the end of life upon the works of distinguished writers in theology, intellectual philosophy, and political economy; continuing his acquaintance with the best Latin works, of which he was always fond, and amusing himself with such fictions especially as abounded in humour, and such poetry as was distinguished for wit, elegance, close sense, and exact description.

He is understood to have been very intimate with the distinguished men with whom he was in public life, and to have been highly valued by them for his excellent judgment, sound principle, and fine colloquial powers and social spirit. He was but little in the habit of alluding to his public services; but his memory supplied him with anecdotes of others, with which he was always ready to instruct or entertain, and his narratives and sketches were marked with singular distinctness and spirit, and often with the finest humour. He was always averse from display, as to all that con-

cerned himself; and so little did he seem to be conscious of the important part he had acted in the affairs of his country, that one, who knew only his parental tenderness, would hardly have believed that he was ready at any moment to part with all, for the cause he had engaged in. While attending upon his duties in congress, he received accounts of the death of a child; and in a letter to a friend, after speaking of this affliction, and expressing his grief and his sympathy with his distant family, he applies to himself and to the cause he had so deeply at heart, words too awful to be lightly used by any man. "He that loveth father or mother, he that loveth son or daughter more than liberty, is not worthy of her." His quiet disregard of notoriety is well shown in his reply about fourteen years since, to a friend who had alluded to his being in congress at the time of Chatham's celebrated eulogy—"Probably I was a member of congress when Chatham eulogized that body, and possibly I might have been vain enough to have snuffed up part of that incense as my due; but the more I have known of myself, the more reason I have had not to think too highly of myself. Humility, rather than pride, becomes such creatures as we are." Those who knew him only during the last twenty or thirty years of his life, speak of the religious serenity with which he looked upon the world and its convulsions; estimating and using aright its good and evil, and fearing little from man, either as to himself or nations. "The Lord reigneth," were the words with which he usually ended whatever he had to say of public sufferings and dangers here and abroad.

To the young he was dear for good, cheering counsel, and almost youthful sympathy. His mind and affections never seemed to grow old, but only to ripen with age. His conversation never lost its humour, richness, and variety, its freedom and temperate earnestness, and the originality of a thoroughly sincere and natural mind; nor his advice its authority; nor his opinions the marks of wide and deliberate observation and thought. It was a privilege to be with him; and next only to that, to enjoy his familiar correspondence. This, we believe, was almost confined to his connexions. We have seen but few of his letters; of which thousands, perhaps, are still preserved, though he frequently expressed a wish, some years before his death, that they might be destroyed. They are said to be remarkably happy specimens of letter-writing. They were written, principally, after he had retired from public life, but are full of observations upon the past as well as the present, and marked with the same variety of sedateness and mirth, and wisdom and domestic

interest, which were observable in his conversation. His grave or tranquil manner, always so becoming in age, gave proper weight to his serious remarks, and sometimes had an air of indescribable archness or covert humour, when he allowed it to run into his lighter conversation or writings. He continued to correspond with some of his young relatives till the close of his days. Only three weeks before his death, he wrote a long letter, containing remarks on Latin prosody; on the faults of public speakers at the present day, with expressions of the kindest and most familiar interest in his friends and their concerns, written too in a strong close hand, that might be expected from one in middle life.

In stature, he was of moderate height; his person neither spare nor corpulent, but indicating perfect health, and an easy mind. His head and features were large and impressive. He was not fond of bodily activity, and always walked with a regular, measured step, as if he were consulting his ease, as far as he could, in doing a thing for which he had small relish. His mind kept pace with the world; his courtesy and hospitality could not have altered but for the worse; but his habits of life, his dress, and many things that belong to one's comfort, and yet may not be worth enumerating, appear to have undergone little if any change for years, and to have shown, as well as the cast of his conversation, that he was of another generation.

ROGER SHERMAN.

THE Declaration of Independence was signed on behalf of the state of Connecticut by four delegates, ROGER SHERMAN, SAMUEL HUNTINGTON, WILLIAM WILLIAMS, and OLIVER WOLCOTT.

Among the illustrious characters whose names are inscribed upon the brightest record that adorns the annals of our country, few possessed more solid attainments than the first of these, ROGER SHERMAN. In the display of rhetorical embellishment, he had many superiors; but this inequality was amply compensated by the close reasoning and convincing arguments which justified the propriety of his political opinions, and supported those measures which his judgment pointed out as best adapted to promote the welfare of his country. The acuteness of his understanding, and the solidity of his judgment, were powerfully aided by his unremitting application, and intimate knowledge of human nature. Possessed of a strong, discriminating mind, and guided by the most rigid rules of prudence, his stern integrity and general good sense, together with his cautious perseverance, elevated him to a prominent station among the most successful politicians of his time, and gave him a great and merited ascendancy in the several deliberative bodies of which he was a member.

His mind was early impressed with the truth of the Christian religion, and, faithful to its precepts, he passed through the turbulent and conflicting scenes of the revolution without a blemish on his character.

Before he had attained the age of twenty-one years, he made a public profession of his religion, and continued more than half a century a zealous defender of its doctrines. Exemplary in his attention to the forms and discipline of the church to which he was attached, he evinced, by his conduct, the importance of the application of the moral doctrines of Christianity to the duties of social life.

The father of Roger Sherman, was a farmer in moderate circumstances, and resided at Newton, Massachusetts, where Roger Sher-



RES. OF ROGER SHERMAN
Newhaven Conn.

man was born on the nineteenth day of April, 1721. Roger Sherman received no other education than the ordinary country schools in Massachusetts at that period afforded. He was neither assisted by a public education, nor private tuition, and the substantial abilities which he evinced during his public life were wholly the offspring of his own exertions. Without those advantages which, in early youth, are so essential in directing and impelling the mind to useful studies, and compelled to assiduous labour for a maintenance, his vigorous mind surmounted all the obstacles which his situation interposed, and, availing himself of every moment of leisure, he acquired, from self-instruction, an extensive knowledge and capacity of usefulness, which placed him on a level with his distinguished compatriots, who have received all the advantages of education.

The nature of his early employment more decidedly claims our admiration in relation to his self-advancement in life, and the eagerness which impelled him to prosecute his intellectual improvements. It is a remarkable fact, that the man who stood among the foremost in the ranks of patriots and legislators, and served his country with distinguished ability in various high and honourable offices during a period of forty years, was apprenticed to a shoemaker, and pursued that occupation for some time after he was twenty-two years of age. Upon the removal of the family, in 1743, Mr. Sherman travelled, with his tools, on foot, to New Milford, where he continued to work at his trade for some time.

Mr. Sherman was not one of those to whom the retrospect of past life gave any pain. During the revolutionary war, he was placed on a committee of congress to examine certain army accounts, among which was a contract for the supply of shoes. He informed the committee that the public had been defrauded, and that the charges were exorbitant, which he proved by specifying the cost of the leather and other materials, and of the workmanship. The minuteness with which this was done exciting some surprise, he informed the committee that he was by trade a shoemaker, and was perfectly acquainted with the cost of the article.

At the time of his father's death, which occurred in the year 1741, Mr. Sherman was only nineteen years of age; yet, from the absence of his elder brother, who had previously removed to New Milford in Connecticut, the principal charge of the family devolved upon him. At this early period of life, the care of his mother, who lived to a great age, and the education of a numerous family of brothers and

sisters, brought into profitable action those feelings of filial piety and paternal affection, which are the unerring tokens of a virtuous and benevolent heart. The restrictions which had been placed on his own education, and the difficulties which they necessarily created, no doubt particularly impressed upon his mind the utility of liberal instruction in early life. The assistance subsequently afforded by him to two of his younger brothers, enabled them to obtain this incalculable advantage, and they became clergymen of some eminence in the colony of Connecticut.

In 1745, two years after his removal into the colony of Connecticut, he was appointed a surveyor of lands for the county in which he resided, which is proof of his early improvement in mathematical knowledge. His self-advancement in this important branch of education, so little connected with his actual occupations, or future prospects in life, serves to demonstrate the universal character of his studies, and the indefatigability of his literary ambition. Astronomical calculations of so early a date as the year 1748 have been discovered among his papers, made by him for an almanac then published in New York, and which he continued to supply for several successive years. In addition to these numerous vocations, his application to the study of the law must have been close and indefatigable, to enable him to surmount the disadvantages of his early education, and qualify himself for the profession which he was about to assume.

At the age of twenty-eight years, he married Miss Elizabeth Hartwell, of Stoughton in Massachusetts, by whom he had seven children. She died in October, 1760. After his removal to New Haven, he married Miss Rebecca Prescott of Danvers, Massachusetts, by whom he had eight children.

Although he had not profited by a regular professional education, his acquisition of legal knowledge, and his increasing reputation as a counsellor, were so great and flattering, that he was persuaded by his friends to adopt the profession, and was accordingly admitted an attorney at law, in December, 1754.

In 1755, he was placed in the commission of the peace for New Milford, and in the same year chosen by the freemen to represent them in the colonial assembly; an appointment which he continued to hold during the greater part of his residence in that town.

He continued to practise the law with reputation until May, 1759, when he was appointed judge of the court of Common Pleas for the county. In 1761, he removed from New Milford, where he was

highly and universally respected, and settled in New Haven. He was soon made a justice of the peace for the county of New Haven, and frequently represented the town in the legislature. In 1765, he was appointed one of the judges of the court of Common Pleas, and was for many years the treasurer of the college in New Haven, receiving at that time the honorary degree of master of arts.

In 1766, he was elected, by the freemen of the colony, an assistant; i. e. a member of the council, or upper house in the legislature of Connecticut. The assistants, who, with the governor and lieutenant-governor formed a separate branch in the legislature, were twelve in number. As they deliberated with closed doors, the measures proposed or advocated by particular individuals cannot now be ascertained, but they are considered to have acted with great unanimity in the common cause.

The period of Mr. Sherman's election to the council, was peculiarly momentous: a partial revolution, about that time, took place in the colony, and several of the old members, who were suspected of not being sufficiently decided in their opposition to the new claims of the mother country, were obliged to retire, and give place to others who possessed different feelings.

The definitive treaty of peace, signed in Paris on the tenth of February, 1763, infused great and universal joy among the English colonies in America. But the burthens and losses, particularly of the northern colonies, had been very great. New England, in general, had, during the war, ten thousand men in the field; and for some years, Massachusetts and Connecticut alone furnished that number. The colonies probably sustained the loss of more than twenty thousand men, who were, generally, their bravest and most active young men; the flower of the country. This loss was severely felt in New England, which had furnished much the greatest number of men, and by no colony more than by Connecticut.

Mr. Sherman commenced his public life as a member of the legislature, in the same year (1755,) that hostilities began in America, and continued to serve in that situation during the greater part of the war. Being thus practically acquainted with the extraordinary exertions of Connecticut during that period, and her proportionate loss of blood and treasure, he was rendered more sensible of the oppressive measures of the British ministry, which almost immediately succeeded the return of peace.

The power of parliament to tax the colonies, appears never to have been doubted by those who guided the councils of Great Bri-

tain. An attempt had been made, previous to the French war, to confirm the supremacy of parliament, and its right to establish a system of internal taxation in this country. Had the attempt been then persisted in, it would probably have been for a time successful. The encroachments of the French had created universal alarm, and their influence with the numerous bands of Indians which surrounded our frontier plainly evinced, that a declaration of war would be followed by all the horrors and devastations of savage hostility. Under such circumstances, and with feelings of attachment to the mother country yet unimpaired, although the measure would have occasioned great discontent, it would probably not have been openly resisted. But there were many in Great Britain who, although they admitted the right, had great doubts of the policy of the measure. The parent state possessed a monopoly of the colonial trade; that trade was becoming every day more extensive and lucrative to the mother country; any measures which had a tendency to create disturbances in the colonies would be prejudicial to it; and they were of opinion that the trifling sum which could be drawn from them by taxation, was not of sufficient consequence to justify an attempt which might interrupt that trade, and endanger the large debts owing by the colonies to British merchants. These reasons seem to have restrained the government from a direct attempt to enforce the right asserted by them at that period; but the pressure of the public debt of Great Britain at the close of the war with France, and the difficulty of providing funds for the payment of the interest, induced them soon after to adopt another policy, which laid the foundation of those disputes and animosities that severed the two countries.

In 1764 commenced that series of measures which "tore asunder all the bonds of relationship and affection which had for ages subsisted, and planted almost inextinguishable hatred in bosoms where the warmest friendship had been so long cultivated." During all this conflicting period, Mr. Sherman continued an influential member of the council of Connecticut, and co-operated with his fellow-members in the general opposition to parliamentary supremacy. Although the secret sittings of that body preclude the detail of his services therein, and the precise rank which he held amongst his colleagues, we may fairly infer, from his appointment to the office of judge of the superior court, in May, 1766, that he eminently possessed the confidence of his fellow citizens; and this preferment would not have been conferred on one who had not particularly distinguished himself in the common cause. His seat in the

council was not vacated by this appointment: he continued a member of it during nineteen years, at the expiration of which time a law was enacted, rendering the two offices incompatible. Mr. Sherman preferred the station of judge, and continued in that office until the year 1789, when he resigned it in consequence of his election to congress under the federal constitution. It is uniformly acknowledged, by those who have witnessed his conduct and abilities on the bench, that he discovered, in the application of the principles of law, and the rules of evidence to the cases before him, the same sagacity that distinguished him as a legislator.

In the controversy between Connecticut and Pennsylvania, in relation to a large tract of territory, granted to both and claimed by both, but finally yielded to Pennsylvania, Mr. Sherman greatly distinguished himself by his zeal and ability. The subject, however, rather belongs to history than to biography; and we forbear from following him through its details.

In the controversy which arose between Great Britain and her colonies, Mr. Sherman was one of those who, from the commencement of hostilities, foresaw the necessity of our entire union and complete independence, and urged, with energy, the boldest and most decisive measures. He engaged in the defence of our liberties, not with the rash ardour of political enthusiasm, nor the ambitious zeal of a lover of popularity, but with the deliberate firmness of an experienced statesman, conscious of the magnitude of the undertaking, able to foresee dangers, resolute to meet them, and sagacious in devising the means of successful opposition.

In August, 1774, the committee of correspondence nominated Mr. Sherman, in conjunction with Joseph Trumbull, Eliphalet Dyer, and Silas Deane, as proper persons to attend the general congress of the colonies, for the purpose of consulting and advising "on proper measures for advancing the best good of the colonies." Mr. Sherman, agreeably to this appointment, was present at the opening of the first congress; and it is an honour of which few can boast, that he invariably continued a member of congress until his death in 1793, embracing the long period of nineteen years, whenever the law, requiring a rotation in office, admitted it.

It is impossible to enumerate the various services rendered by Mr. Sherman during his congressional career. The novel and responsible situation to which he was now elevated, was well calculated to elicit the firmness of his character, and the comprehensiveness of his political sagacity. Although he united his efforts to

those of the assembled representatives, in their honest endeavours to preserve at once the peace of the country, and the rights of its citizens, he appears to have been decidedly convinced, that nothing but unconditional submission could avert the horrors of civil war; and he fully evinced, by the energetic measures which he zealously supported, that, in his opinion, it was far preferable to endure sorrow for a season, than sink into a long and degrading servitude.

As a representative and senator in congress, he appeared with distinguished reputation. Others were more admired for brilliancy of imagination, splendour of eloquence, and the graces of polished society; but there were few, even in that assemblage of eminent characters, whose judgment was more respected, or whose opinions were more influential. The boldness of his counsels, the decisive weight of his character, the steadiness of his principles, the inflexibility of his patriotism, his venerable appearance, and his republican manners, presented to the imagination the idea of a Roman senator, in the early and most exemplary days of the commonwealth.

In the business of committees, generally so arduous and fatiguing, he was undoubtedly one of the most serviceable and indefatigable members of that body. His unwearied application, the remarkable perseverance with which he pursued and completed the matters confided to his investigation, and the regular system by which all his proceedings were governed, when joined to his great prudence, acknowledged talents, and unshaken virtue, attracted universal confidence; hence a large and important share of the public business, particularly when referred to committees, was assigned to him, in conjunction with other leading members of the house.

On the tenth of May, 1775, Mr. Sherman again appeared as one of the delegates from Connecticut, having been re-elected by the house of representatives of that colony, on the third of November, 1774.

Among the principal committees, of which Mr. Sherman was a member during the year 1776, were those to prepare instructions for the operations of the army in Canada; to establish regulations and restrictions on the trade of the United Colonies; to regulate the currency of the country; to purchase and furnish supplies for the army; to devise ways and means for providing ten millions of dollars for the expenses of the current year; to concert a plan of military operations for the campaign of 1776; to prepare and digest a form of confederation; to repair to head-quarters, near New York, and examine into the state of the army, and the best means of supplying their wants, &c. &c. &c.

The duty assigned to him, (September 20th, 1776,) relative to the state of the army, was arduous and distressing. On the twenty-fourth of that month, General Washington, in a communication to congress, exhibited, in a serious and solemn manner, the critical situation of America, the approaching dissolution of the army by the expiration of the time for which the troops had been engaged, and their urgent distresses and increasing dissatisfaction.

Every principle of sound policy had required, that, as the continuance of the war was inevitable, it should be conducted in a different manner, and that the character of the parties should be changed: it was, indeed, a wise and well-timed measure to destroy the relations of king and subject, by the Declaration of Independence, and thereby alter not only the name but the nature of the contest. On the eleventh of June, 1776, the high confidence placed in the abilities of Mr. Sherman was again amply proved by his appointment, in conjunction with that brilliant constellation of talents and patriotism, Adams, Jefferson, Franklin, and Livingston, to prepare the Declaration of Independence.

Besides the incidental business in which his services as a committee-man were employed, he was successively a member of the board of war and ordnance, of the marine committee, and of the board of treasury. His financial knowledge, and systematic attention to the most rigorous rules of frugality in relation to public expenditures, which might appear inconsistent with the character and expanded views of more modern statesmen, was, in that day of national poverty and peril, of primary importance, and proved, in the aggregate, essentially beneficial to the interests of the country.

Notwithstanding his almost constant attention at the post of duty in the general congress, the citizens of Connecticut continued to load their distinguished representative with additional honours, and to testify, in the most flattering manner, their strong sense of his worth, virtues, and abilities. He was, during the war, a member of the governor's council of safety; and in February, 1784, when city privileges were granted to New Haven, he was elected to the office of mayor, which he held during the remainder of his life.

At the close of the revolutionary war, it became necessary to revise the statutes of Connecticut, and in May, 1783, Mr. Sherman, and the honourable Richard Law, both judges of the superior court, were appointed a committee, with instructions to digest all the statutes relating to the same subject, into one; to reduce the whole to a regular code, in alphabetical order, with such alterations, addi-

tions, exclusions and amendments, as they should deem expedient, and to submit the same to the general assembly. This arduous service was performed with great approbation; the temporary and repealed statutes were omitted; the arrangement was simplified and improved; and many valuable emendations and additions were introduced.

In 1787, he was appointed, by the state of Connecticut, a delegate to the general convention to form the federal constitution of the United States, in conjunction with Mr. Ellsworth and Dr. Johnson. The inefficacy of the old confederation for the preservation of the public peace, became palpable soon after the close of the war, when the strong and general excitement which existed during the struggle for independence, and bound the several states in close unity together, had yielded to less patriotic, and more selfish, considerations. The powers vested in the several states were too great to afford any prospect of permanent union, and it was only by the formation of a supreme head, to direct the clashing measures, guard the opposing interests, and coerce the ill-advised and dangerous views of the several subordinate governments, that the independence and tranquillity which had succeeded one of the noblest efforts recorded in the political history of the world, could be preserved. It appears that Mr. Sherman discovered, at an early date, many radical defects in the old confederation, although he was a member of the committee by which it had been framed. A manuscript left among his papers, and containing a series of propositions prepared by him for the amendment of the old articles of confederation, the greater part of which are incorporated, in substance, in the new constitution, displays the important part which he acted in the general convention of 1787.

Mr. Sherman advocated several propositions in the convention, in which he signally failed; and in some of them, perhaps, fortunately for the durability of the government. He wished the house of representatives to be chosen by the state legislatures, saying, "the people should have as little to do as may be with the government: they want information, and are constantly liable to be misled." He advocated regulating the ratio of representatives by the free inhabitants only. He opposed the resolution introduced by Mr. Gerry, that the number of representatives from the new states should never exceed in numbers those from the original states, and was in favour of admitting western states on liberal terms; as we were, he said, in doing so, "providing for our children and grand-children, who

were as likely to be residents of the new as the old states." In discussing the eligibility of foreigners to office, he observed that "the United States had not invited foreigners, nor pledged their faith that they should enjoy the same privileges with natives, and have a perfect right to make any discriminations they may judge necessary. He was in favour of an absolute prohibition, in the constitution, of paper money; and said if the state legislatures could authorize issuing it, speculators would use every kind of intrigue and corruption to get an ascendancy in the legislature, in order to control its emission for selfish purposes.

Mr. Sherman was not present at the opening, nor his colleague, Mr. Ellsworth, at the close, of the convention. Their absence was owing to necessity; both being judges of the superior court, the presence of one of them was requisite at each of those periods.

Many members of that august body, and among others, General Charles Cotesworth Pinckney, have borne testimony to the very considerable part which Mr. Sherman took in the convention. The correspondence which passed between him and the honourable John Adams, relative to the federal constitution, must have been highly interesting, from the zealous feelings of the respective writers on the subject, and the experience and abilities which enabled them to expatiate with clearness and precision upon a document, which, with the sole exception of the Declaration of Independence, ranks foremost in the records of our political existence; which, if defeated, or rendered ineffectual by discord, would have probably rendered that Declaration, in a certain degree, unavailable; and which, as it now subsists, will continue to uphold the great and glorious structure which rests upon its basis.

Happily for our fathers, and happily for their posterity, the obstacles which threatened the rejection of the constitution were overcome, and the prophetic language of Mr. Sherman is now verified by twenty millions.

His exertions in procuring the ratification of that constitution by the State Convention of Connecticut, were conspicuous and successful. He published a series of papers, with the signature of "A Citizen," which are said to have materially influenced the public mind in favour of its adoption; a fact which is corroborated by the testimony of the late Chief Justice Ellsworth. The full majority by which the ratification was determined in the convention of Connecticut, is stated, by a living witness, to have been owing, in a considerable degree, to the influence and arguments of Mr. Sher-

man. The instrument was discussed by sections, and the delegates to the general convention were required to explain their operation, as they successively came under consideration: this task was uniformly performed by him with great plainness and perspicuity.

After the ratification and adoption of the federal constitution, he was elected a representative of the state in congress, and on the eighth of April the oath required by that instrument was administered to him by the chief justice of the state of New York. As this office was then incompatible with his station as a judge, he resigned the latter, which he had held with unblemished reputation during twenty-three years.

Although verging towards the seventieth year of his age, Mr. Sherman's exertions, and interest in public affairs, continued undiminished. During the first two years of the sessions of congress under the new constitution, at the expiration of which he was elevated to the senate, he took an active part in the proceedings of that body. His sentiments, which were of great weight, were principally delivered in favour of an excise law, prudently and considerately administered; of a duty on merchandize, rather than a direct tax; of the existing mode of reporting plans by the secretary of the treasury; of the propriety of appointing peculiar days of thanksgiving; of the commitment of the memorial of Friends, or Quakers, in relation to the abolition of slavery; of the assumption of the state debts; of the rights of conscience relative to bearing arms, &c. He strenuously opposed any discrimination in our relations with foreigners, urging that commercial restrictions should be met by commercial restrictions; but that the commerce of this nation with any others, ought not to be laid under any disadvantages merely because we had no commercial treaty with them. The proper principle, he maintained, upon which government should act, was the impost of heavy duties upon all goods coming from any port or territory, to which the vessels of the United States were denied access.

After the exposition which has been given of the character and feelings of Mr. Sherman, it is almost superfluous to state that he was uniformly and conscientiously opposed to the slave trade. Soon after the commencement of the first session of congress, Mr. Parker, of Virginia, made an effort to discountenance that inhuman traffic, by moving the insertion of a clause in the impost bill, then under consideration, imposing a duty on the importation of slaves of ten dollars on each individual. His exertions were confined to this

narrow compass by the fifth article of the new constitution, which deprived congress of any power to prohibit the importation of slaves before the expiration of twenty-one years; but the first clause of the ninth section of the first article authorized the imposition of a duty on each person, not exceeding the amount proposed by Mr. Parker. Although Mr. Sherman fully approved of the object of the motion, he could not reconcile himself to the insertion of human beings, as an article of duty, among goods, wares, and merchandize. He considered the principles of the motion, and those of the bill, as inconsistent; the purpose of the first was to raise a revenue, and of the latter, to correct a moral evil; and, therefore, he believed that the motion ought, on the principles both of humanity and policy, to be separately considered. Notwithstanding the exertions of their opponents—men who had themselves so lately shaken off the yoke of servitude—Mr. Sherman and his colleagues were triumphant, and the question was favourably determined, forty-three members having supported, and only eleven opposed, the commitment of the memorial.

In the course of the debate on the impost bill, (May 9th, 1789,) several members had recourse to popular opinion in support of their arguments, which drew from Mr. Sherman the following remarks: "Popular opinion is founded in justice, and the only way to know if the popular opinion is in favour of a measure, is to examine whether it is just and right in itself. I believe that whatever is just and right, the people will judge of and comply with. The people wish that the government may derive respect from the justice of its measures, and they have given it support on that account. I believe the popular opinion is in favour of raising a revenue to pay our debts, and if we do right, they will not neglect their duty; therefore, the arguments that are urged in favour of a low duty, will prove that the people are contented with what the bill proposes. When gentlemen have recourse to public opinion to support their arguments, they generally find means to accommodate it to their own: the reason why I think public opinion is in favour of the present measure, is because this regulation, in itself, is reasonable and just."

He uniformly and zealously opposed those amendments of the constitution which were, at different periods, submitted to the house, almost immediately after its adoption. He maintained that the more important objects of government ought first to be attended to; and that the executive portion of it needed organization, as well as the business of the revenue, and of the judiciary. His

endeavours, however, to postpone the consideration of these amendments, until the more important matters of government were arranged, and experience had tested the efficacy, and weak points, of the constitution, were unsuccessful. He then directed his attention to the mode of amendment proposed, and earnestly opposed the insertion, or abstraction, of any part whatever, of the original instrument. "We ought not," he exclaimed, "to interweave our propositions in the work itself, because it will be destructive of the whole fabric. We might as well endeavour to mix brass, iron, and clay, as to incorporate such heterogeneous articles; the one contradictory to the other. Its absurdity will be discovered by comparing it with a law: would any legislature endeavour to introduce into a former act a subsequent amendment, and let them stand so connected? When an alteration is made in an act, it is done by way of supplement; the latter act always repealing the former in every specified case of difference."

A proposition having been made to introduce a clause into the constitution, conferring upon the people the unalienable right of instructing their representatives, Mr. Sherman opposed it with great justice and ability. He urged that it would mislead the people by conveying an idea that they possessed the right of controlling the debates of the legislature, a right destructive to the object of their meeting; that the duty of a representative was to consult, and agree with others, from the different parts of the union, relative to such acts as might be beneficial to the whole community; that, if they were to be guided by instructions, there would be no use in deliberation, and a representative would consider nothing more necessary than to produce those instructions, lay them on the table, and let them speak for him; that the duty of a good representative was to inquire what measures would best tend to promote the general welfare, and, after he had discovered, to give them his support; that, if his instructions should coincide with his ideas of any measure, they would be unnecessary, and, if they were contrary to the conviction of his own mind, he would be bound by every principle of justice to disregard them. Hence he considered it a fixed doctrine, that the right of the people to consult for the common good, can go no further than to petition the legislature for a redress of grievances. His opinion was confirmed by a large majority.

Mr. Sherman strongly advocated the funding system reported by Alexander Hamilton, secretary of the treasury, and particularly the assumption of the state debts, which formed a part of it.

In 1791, a vacancy having occurred in the senate of the United States, he was elected to fill that elevated station, in which he continued to devote his time and talents to the benefit of that government whose cause he had firmly espoused, and whose independence he had fearlessly proclaimed, fifteen years before.

On the twenty-third day of July, 1793, this great and good man was gathered to his fathers, after a long life of usefulness and virtue. He sustained many and important offices with uniform honour and reputation; he maintained an amiable character in every private relation; and he died in a ripe old age, fully possessed of all his honours and of his powers, both of mind and body. The loss of such a man was indeed great. It was great to the whole country, for he was still capable of eminent usefulness; it was great to the state of Connecticut, in whose service he had, for half a century, been indefatigable; it was great to the city of New Haven, of which he was the chief magistrate; it was still greater to the church and the society of which he was so eminent and useful a member; but greatest of all to his bereaved family.

The genius and talents of Mr. Sherman were particularly calculated for eminent usefulness in the judiciary department. Cool, attentive, deliberate, and impartial, skilled in all the forms and principles of law, he was not liable to be misled by the arts of sophistry, or the warmth of declamation. He formed his opinions on a careful examination of every subject, and delivered them with dignity and perspicuity. His decisions were too firmly founded on correct and admitted principles to be readily shaken, and he necessarily enjoyed, in his important judicial station, a confidence and esteem, highly honourable to himself, as well as to the professional gentlemen by whom those sentiments were entertained.

The foundation of his usefulness as a man, and his distinction as a statesman, was *integrity*, which, at an early period, formed one of the principal groundworks of his character, and was founded upon religious principle. All his actions seem to have been preceded by a rigorous self-examination, and the secret interrogatories of "*What is right?*"—" *What course ought I to pursue?*" He never propounded to himself the questions of "*How will it affect my interest?*"—" *Will it be popular?*" Hence his reputation for integrity was so unquestionable, that, in all the various decisions of public questions in which he had a voice, it is not probable that any man suspected him of a selfish bias, or of sinister motives, however strongly he may have been opposed to the measures which Mr. Sher-

man considered it his duty to support. Many anecdotes attest the unbounded confidence which was entertained for the judgment of Mr. Sherman. Fisher Ames was accustomed to express his opinion by saying, "That if he happened to be out of his seat when a subject was discussed, and came in when the question was about to be taken, he always felt safe in voting as Mr. Sherman did; *for he always voted right.*" The late Dr. Spring, of Newburyport, was returning from the south, while congress was sitting in Philadelphia. Mr. Jefferson accompanied him to the hall, and designated several distinguished members of that body: in the course of this polite attention, he pointed in a certain direction, and exclaimed, "That is Mr. Sherman, of Connecticut, a man who never said a foolish thing in his life." Mr. Macon once remarked to Mr. Reed, of Marblehead, formerly a member of congress, that "Roger Sherman had more common sense than any man he ever knew." Washington uniformly treated Mr. Sherman with great respect and attention, and gave undoubted proof that he regarded his public services as eminently valuable.

A patriot, to whose virtues, talents, and integrity, the three first presidents of the United States, WASHINGTON, ADAMS, and JEFFERSON, and the wisest and best men of the land, have paid the tribute of esteem and respect, cannot fail to live long in the hearts of his countrymen. In a communication received by the editor, from the venerable John Adams, dated the nineteenth of November, 1822, that distinguished statesman thus expresses his sentiments in relation to Mr. Sherman:

"Dear Sir—I have received your obliging favour of the fifteenth instant. It relates to a subject dear to my memory and to my heart. The honourable Roger Sherman was one of the most cordial friends which I ever had in my life. Destitute of all literary and scientific education but such as he acquired by his own exertions, he was one of the most sensible men in the world. The clearest head and the steadiest heart. It is praise enough to say, that the late Chief Justice Ellsworth told me that he had made Mr. Sherman his model in his youth. Indeed, I never knew two men more alike, except that the chief justice had the advantage of a liberal education, and somewhat more extensive reading.

"Mr. Sherman was born in the state of Massachusetts, and was one of the soundest and strongest pillars of the revolution."

The testimony of Mr. Jefferson is not less emphatic: in a letter of the ninth of March, 1822, addressed by that eminent citizen to

the grandson of Mr. Sherman, he fully unites in the eulogiums which appear universally and deservedly to have been lavished on the subject of this sketch:

"I have duly received," he says, "your letter of February twenty-second, and am sorry it is in my power to furnish no other materials for the biography of your very respectable grandfather, than such as are very generally known. I served with him in the old congress, in the years 1775 and 1776: he was a very able and logical debater in that body, steady in the principles of the revolution, always at the post of duty, much employed in the business of committees, and, particularly, was of the committee of Dr. Franklin, Mr. J. Adams, Mr. Livingston, and myself, for preparing the Declaration of Independence. Being much my senior in years, our intercourse was chiefly in the line of our duties. I had a very great respect for him, and now learn, with pleasure, that the public are likely to be put in possession of the particulars of his useful life."

It ought to be recorded in the biography of this eminent and excellent man, that although he sustained so many different stations in civil government, to all of which he was promoted by the free election of his fellow citizens, and in the greater part of which he could not, without a new election, continue longer than a year, and in the remainder he could not, without re-appointment, continue longer than two, three, or four years;—and, although, for all these stations, there were, as will always be the case in popular governments, many competitors at every election;—yet Mr. Sherman was never removed from a single office, except by promotion, or by act of the legislature, requiring a rotation, or rendering the offices incompatible with each other. Nor, with the restrictions alluded to, did he ever fail in his re-election to any situation to which he had been once elected, excepting that of representative of New Haven in the legislature of the state; which office, at that period, was constantly fluctuating. Few facts can more decisively show how eminently and invariably he possessed the confidence of his fellow citizens.

In regard to worldly circumstances, Mr. Sherman was very happily situated. Beginning life without the aid of patrimonial wealth or powerful connexions; with nothing but his good sense and good principles; he, by his industry and skilful management, always lived in a comfortable manner, and his property was gradually increasing. He was never grasping nor avaricious, but liberal in feeling; and, in proportion to his means, liberal in acts of beneficence

and hospitality. His manner of living was in accordance with the strictest republican simplicity.

In private life, although he was habitually reserved and taciturn, yet in conversation relating to matters of importance, he was free and communicative. He was naturally modest; and this disposition, increased, perhaps, by the deficiencies of his early education, often wore the appearance of bashfulness. In large companies, it is said, he appeared obviously embarrassed, and his speech was often slow and hesitating.

In his person, Mr. Sherman was considerably above the common stature: his form was erect and well-proportioned, his complexion very fair, and his countenance manly and agreeable, indicating mildness, benignity, and decision. He did not neglect those smaller matters, without the observance of which a high station cannot be sustained with propriety and dignity. In his dress, he was plain, but remarkably neat; and in his treatment of men of every class, he was universally affable and obliging. In the private relations of husband, father, and friend, he was uniformly kind, affectionate, faithful, and constant.

"In short," to use the language of the Rev. Dr. Edwards, "whether we consider him in public or private life—whether we consider him as a politician, or a Christian—he was a great and a good man. The words of David concerning Abner, may, with great truth, be applied on this occasion; *know ye not, that there is a great man fallen this day in Israel.*"



RES. OF S. HUNTINGTON, NORWICH CONN.

SAMUEL HUNTINGTON.

SAMUEL HUNTINGTON was the descendant of an ancient and respectable family, which emigrated at an early period into this country, and landed at Saybrook, in the province of Connecticut. His father, Nathaniel Huntington, was a plain, but worthy farmer, who followed his occupation in the town of Windham: his mother was distinguished for piety and native talent. Being the eldest son, he was destined by his parents to pursue an humble, but certain course of life, by tilling the earth under the auspices of his father.

He was born in Windham, Connecticut, on the third day of July, 1732. His opportunities of acquiring knowledge were extremely limited, and he received no other education than the common schools of Connecticut at that period afforded. Gifted, however, with an excellent understanding, and a strong taste for mental improvement, he employed all his leisure hours in reading and study. At the age of twenty-two years, when he abandoned his agricultural pursuits to engage in the study of the law, he had acquired, principally from his own unassisted exertions, an excellent common education. In the knowledge of the Latin language, his progress was considerable, but it does not appear that he directed his attention to any other foreign tongue. Having attained a competent knowledge of the general principles of law, he commenced his professional career in the town of Windham. In 1760, he removed to Norwich: at this period his reputation as a man of talents became more extensive, and his success and celebrity as a lawyer and an advocate, made a correspondent progress. Aided by a candid and deliberate manner, which appeared in some degree constitutional, few lawyers enjoyed a more extensive practice, or attracted more general applause. From his good sense, intelligence, and integrity, his preferment was remarkably rapid: in a few years his character as a man of business and punctuality was firmly established; his reputation as a lawyer was

exalted, and his extensive practice included all the important cases of his native county, as well as of those which bordered upon it.

In the thirtieth year of his age he married Martha, the daughter of the Rev. Ebenezer Devotion. The consequence of this conjugal relation, although no offspring cemented the union, was the enjoyment of pure domestic felicity, until the decease of Mrs. Huntington. Economical and exemplary in their habits, they, in some degree, avoided all society excepting that which courted their attention. Having no offspring, Mr. Huntington adopted two of the children of his brother, the Rev. Joseph Huntington, to whom, having married sisters, he was doubly united. The late Samuel Huntington, governor of Ohio, and Mrs. Griffin, the wife of the Rev. Dr. Griffin, president of William's College in Massachusetts, were the fortunate individuals who supplied the deficiency in his family, and profited by his excellent example and instructions. Mrs. Huntington died on the fourth of June, 1794, in the fifty-sixth year of her age.

In 1764, Mr. Huntington commenced his political labours as a representative of the town of Norwich in the general assembly; and in the following year, received the office of king's attorney, which he sustained with reputation until more important services induced him to relinquish it. In 1774, he was appointed an associate judge in the superior court, and in the following year, a member of the council of Connecticut.

Being decided in his opposition to the claims and oppressions of the British parliament, and active in his exertions in favour of the colonies, the general assembly of Connecticut, properly appreciating his talents and patriotism, appointed him a delegate to congress, on the second Thursday of October, 1775. On the sixteenth of January, 1776, he took his seat in that venerable assembly, and in the subsequent month of July, voted in favour of the Declaration of Independence. In this high station, he devoted his talents and time to the public service, during several successive years. His stern integrity, and inflexible patriotism, rendered him a prominent member, and attracted a large share of the current business of the house: as a member of numerous important committees, he acted with judgment and deliberation, and cheerfully and perseveringly dedicated his moments of leisure to the general benefit of the country. He zealously performed the duties of this office during the years 1776, 1777, 1778, 1779, and 1780, when he returned to Connecticut, and

resumed his station upon the bench, and seat in the council, which had been continued vacant until his return.

The estimation in which Mr. Huntington was held by his fellow members, may be properly appreciated from his appointment, on the twenty-eighth of September, 1779, to the highest civil dignity of the country. On the resignation of the honourable John Jay, who had been appointed minister plenipotentiary to negotiate a treaty of amity and commerce, and of alliance, between the United States of America and his Catholic majesty, Mr. Huntington was elected president of congress: in 1780, he was re-elected to the same honourable office, which he continued to fill with dignity and impartiality until the following year, when, worn out by the constant cares of public life, and his unremitting application to his official duties, he desired leave of absence, and intimated to the house the necessity of his returning home for the re-establishment of his health. The nomination of his successor was, however, postponed by congress, which appeared unwilling to dispense with the services of a president, whose practical worth had been so long and amply displayed. After the expiration of two months, Mr. Huntington, on the sixth of July, 1781, more explicitly declared that his ill state of health would not permit him to continue longer in the exercise of the duties of that office, and renewed his application for leave of absence. His resignation was then accepted, and Samuel Johnson, of North Carolina, declining the appointment, Thomas M'Kean, of Pennsylvania, was elevated to the presidency. A few days after his retirement, the thanks of congress were presented to Mr. Huntington, "in testimony of their approbation of his conduct in the chair, and in the execution of public business."

After having thus pursued his congressional career with distinguished success, rising by the energy of his own mind and the perseverance of self-instruction, from the plough to the presidency, Mr. Huntington, in August, 1781, resumed his judicial functions in the superior court of Connecticut, and his station in the council of that state. His rapid exaltation had not proved prejudicial to his mind or manners, but he returned to his constituents in the same plain and unassuming character which had first attracted their confidence and admiration.

On the second Thursday in May, 1782, he was again elected a delegate to congress, but it does not appear that he joined his colleagues in that body during the year for which he was then ap-

pointed. Having been re-appointed on the second Thursday of May, 1783, he resumed his seat in congress on the following twenty-ninth of July, soon after the disorderly and menacing appearance of a number of armed mutineers about the hall within which that body was assembled in Philadelphia, had induced them, for the preservation of the safety and dignity of the federal government, to remove to Princeton in New Jersey.* He continued, without intermission, to perform his duties in congress until its adjournment to Annapolis on the fourth of November, 1783, when he finally retired from the great council of the nation, of which he had so long been a conspicuous and influential member.

In 1784, soon after his return from congress, he was appointed chief justice of the superior court of Connecticut, and after discharging the duties of that office for one year, was elected lieutenant-governor of the state. Having at all times a perfect command over his passions, he presided on the bench with great ability and impartiality: no judge in Connecticut was more dignified in his deportment, more courteous and polite to the gentlemen of the bar, nor more respected by the particular parties interested in the proceedings of the court, as well as the public in general. His name

* This was altogether one of the strangest affairs that occurred during the whole of the revolution. That eighty worthless vagabonds, who had never done other service than eat the beef and drink the whiskey of congress, incited and led by an Irishman with no other character than that which he had earned as a mutineer in the Pennsylvania line, should frighten congress out of town, and the brave Colonel Hamilton to exhort the members to "prepare for immediate death—for in less than half an hour not a man of them would be left alive" is really strange, but not the less true. General St. Clair, then in command in Philadelphia, the executive council of Pennsylvania, and the militia officers of the city however, took matters more coolly. They assured a committee of congress appointed to confer with them, that there was nothing to fear, and that the soldiers were objects of compassion rather than of terror or resentment—had everything settled in a satisfactory manner, and congress, in a short time, returned to, and resumed their labours in, Philadelphia. Sullivan, the would-be leader of the movement, to avoid the halter, fled and got on board a vessel ready for sea at Chester, and was not heard of again for about four years, when we find him busily engaged in writing letters to some of the disbanded officers of the army, endeavouring to prevail on them to join him in establishing "the free state of Franklin" on the Mississippi river, and appropriating a large extent of country to themselves and their followers. But in this audacious attempt he was also foiled: congress, as soon as they became acquainted with his proceedings, ordered, that if he came within the federal territory, he should be apprehended, tried, and if found guilty (as he certainly would have been) hung; and this, fortunately for the country, was the last that was ever heard of Lieutenant Sullivan.

and his virtues are frequently mentioned by those who remember him in his judicial capacity, with respect and veneration.

In 1786, he succeeded Governor Griswold, as chief magistrate of the state, and continued to be annually re-elected, with singular unanimity, until his death. This excellent man and undeviating patriot died in Norwich, on the fifth day of January, 1796, in the sixty-fourth year of his age. Although afflicted with a complication of disorders, particularly the dropsy in the chest, his death was tranquil and exemplary, and previous to the singular debility both of mind and body under which he laboured a few days before that event, his religious confidence continued firm and unwavering. In his person, Mr. Huntington was of the common stature; his complexion dark, and his eye bright and penetrating: his manners were somewhat formal, and he possessed a peculiar faculty of repressing impertinence, repelling unpleasant advances, and keeping aloof from the criticising observations of the multitude. But in the social circle of relatives and friends, he was a pleasing and entertaining companion. Without inflicting upon others the consciousness of inferiority, he never descended from the dignity of his station.

His deportment in domestic life was excellent; his temper serene; and his disposition benevolent. The whole tenor of his conversation was ingratiating and exemplary; and although sometimes absorbed in deep meditation, he was generally friendly, cheerful, and social. Being a man of great simplicity and plainness of manners, he was averse to all pageantry and parade, and strictly economical in his expenditures: he maintained that it was a public duty to exhibit such an example as might, so far as his individual efforts could avail, counteract the spirit of extravagance which had begun to appear.

Mr. Huntington was a man of profound thought and penetration, of great prudence and practical wisdom, of patient investigation and singular perseverance, of distinguished moderation and equanimity: he was cool and deliberate, moderate and circumspect in all his actions, and possessed of a clear and sound mind. It may truly be said that no man ever possessed greater mildness or equanimity than Mr. Huntington. A living witness can attest, that during a long residence of twenty-four years in his family, he never, in a single instance, exhibited the slightest symptoms of anger, nor spoke one word calculated to wound the feelings of another, or to injure an

absent person. He was the friend of order and of religion, a member of the Christian church, and punctual in the devotions of the family.

But the eulogy of words can never exalt the memory which is not previously embalmed, in the progress of an exemplary life. For many years a professor of religion, Mr. Huntington appeared to enjoy great satisfaction both in the doctrines and ordinances of the gospel; a constant attendant upon public worship, "he was occasionally the people's mouth to God, when destitute of preaching." As a professor of Christianity, and supporter of its institutions, he was exemplary and devout: he manifested an unshaken faith in its doctrines, amid the distresses of declining life, until debility of mind and body, produced by his last illness, rendered him incapable of social intercourse.



RES. OF W^m WILLIAMS
Lafayette, Miss.

WILLIAM WILLIAMS.

WILLIAM WILLIAMS was born in the town of Lebanon, Windham county, in the province of Connecticut, on the eighth of April, 1731. He was descended from an ancient family, of Welsh extraction, a branch of which emigrated into America in the year 1630, and settled in Roxborough, Massachusetts. His grandfather, William Williams, was the minister of Hatfield, in Hampshire county, Massachusetts, and his father, the Rev. Solomon Williams, D.D., was, during the long period of fifty-four years, the pastor of the first congregational society in Lebanon.

WILLIAM WILLIAMS was sixteen years of age when he entered Harvard college, in the year 1747. During the course of his studies, he displayed a large portion of talents and perseverance, and pursuing his collegiate career with diligence and distinction, was honourably graduated in the year 1751. He then returned to Lebanon, and resided more than a year with his father, who directed his studies, which were principally theological: his fellow students were numerous, who profited by the instructions as well as the extensive library of his father.

In the year 1755, during the French war, he attended his relative, Colonel Ephraim Williams, as one of the staff of his regiment, on an expedition to Lake George. At the close of the campaign, Mr. Williams returned to Lebanon. He was, at this period, twenty-four years of age, and resolved to establish his residence in his native town. He returned dissatisfied and disgusted with the British commanders: their haughtiness and arbitrary conduct, and their inattention to the interests of America, made a powerful and lasting impression upon his mind. Even at that early period, he formed the opinion that the prosperity of his native country would never be secured under the administration of officers who had no common interests nor feelings with the people; and that to enable them to profit by the means within their reach, a government dependent on themselves was necessary.

The youth as well as the maturer age of Mr. Williams were characterized by his fondness for mechanical pursuits. In architecture he was particularly interested: nor was he inattentive to the study of mathematics, and the learned languages, and, at an advanced period of life, he was still a proficient in the Greek and Latin languages.

At the age of twenty-five years he commenced his political career as town clerk, to which situation he was annually elected during the long period of forty-five years. He was chosen, about the same time, to represent the town in the general assembly of Connecticut, although it was, at that period, unusual to select so young a man to fill that responsible station. He was soon after appointed a justice of the peace. It may almost be said that he was invariably, during the course of his long and useful life, a member of one of the branches of the legislature. During his services in that body, he was chosen clerk, and for many years speaker, of the house of representatives. In the year 1780, he was elected an assistant or counsellor, and was annually re-elected for twenty-four years until he resigned the office in 1804, at which period he yielded up all his public employments, excepting that of judge probate, and retired to private life. His attention to the public service was so close and unvaried, that he was seldom absent from his seat in the legislature for more than *ninety sessions*, except when he was chosen a delegate to congress in 1776 and 1777. During the greater part of the war he was a member of the council of safety, whose sessions were daily and unremitting. He was a judge of the county court for Windham county, and judge of probate for Windham district during the term of forty years. He held many other offices of minor consequence, both civil and military. In fact, he spent his whole life in the service of the public, and in promoting the prosperity of his country. In 1773, Mr. Williams was appointed colonel of the twelfth regiment of militia, then very efficient, and comprising seventeen hundred men; but he resigned his commission in 1776, upon his election as a delegate to congress.

At a general assembly of the governor and company of the state of Connecticut, held at New Haven on the second Thursday of October, 1775, Mr. Williams was appointed a delegate to represent the state in the general congress; and on the second Thursday of October, 1776, he was re-elected to that high and honourable office. He was therefore present and assisted in the deliberations of that august assembly, when the great charter of our independence was submitted to its consideration.

The acknowledged aim of Mr. Williams, in his political career, was to merit the title of an *honest* politician, and no one was more successful in obtaining it: he never desired any office in which he could not promote the public good. He was scrupulously honest in all the transactions of private life; and obtained, as a merchant, the unlimited confidence of his fellow citizens. When the troubles of the revolution commenced, he embarked enthusiastically in the cause of the colonies. He settled and relinquished his mercantile concerns, and devoted himself wholly to the service of his country. His exertions were indefatigable in arousing the feelings of his fellow citizens, both by nervous essays in the public papers, and by public speaking: he was an elegant and sententious writer; a vehement and ardent orator. His voice was strong and powerful, and his eloquence gathered fresh force as he became animated by the increasing interest of his subject. His political career was untainted by selfishness, unless, indeed, it was selfish to seek elevation in the public opinion, by pure and disinterested patriotism.

It is related, as an evidence of his sincerity, that in the early stages of the revolution, he had more than two thousand dollars in specie, being a portion of the proceeds of his merchandize: continental currency would not, at that period, procure the services which were required, and Mr. Williams, from patriotic motives, exchanged the specie in his possession for continental money: he lost the whole, but it was a loss which he never regretted. This anecdote affords an example of that practical patriotism which tests the sincerity of the heart.

The disinterestedness of his conduct was also apparent in the settlement of his affairs, previous to his thorough embarkation in the turbulent scenes of the revolution. His mind was so fully bent upon the one great object, that he scarcely took the trouble of collecting the notes which he had received: he was accustomed to remark, that many of his debtors had been impoverished by the war, some had died, and others had been killed in the public service, and that he would never enforce payment from the widow and the fatherless—more especially from those whose husbands and fathers had perished in the cause of their country.

Mr. Williams, as one of the select-men of Lebanon, which then contained about four thousand inhabitants, visited almost every private family for the purpose of procuring lead, clothing, &c. but especially blankets, for the use of the army. He collected and forwarded more than one thousand blankets, with many other useful

articles, including a large quantity of lead, at that time so indispensable, which was in many instances procured by cutting off the weights from the clocks: the inhabitants, and especially the ladies, freely parted with their last blanket for the public service. Such were the unremitting exertions of Mr. Williams, in almost every grade of office; whether we regard him as a judge upon the bench, or a member of the committee of safety; a counsellor in congress, or a select-man of Lebanon, he always appears in the same unvarnished character—a pure, disinterested, and persevering patriot.

Mr. Williams was a member of the state convention of Connecticut, which adopted the existing constitution, and exerted his influence in its support. Although the people of Lebanon were opposed to it, they elected him as their representative, and he strongly advocated its adoption by the state, in opposition to the opinions of his constituents.

In the year 1772, he married Mary Trumbull, the second daughter of Jonathan Trumbull, at that time governor of the state. In the domestic circle, Mr. Williams was tender and affectionate, anxious for the welfare of his children, and particularly solicitous in procuring them the benefits of education. The death of his eldest son produced a powerful effect upon the mind of Mr. Williams, now far advanced in life, and he never recovered from the shock which it occasioned. From that moment his health gradually declined. When upon the bed of death, not having spoken for the space of four days, he called in a clear voice upon the name of his deceased son, and required him to attend his dying parent; and almost instantly expired. He died on the second day of August, 1811, in the eighty-first year of his age. Old age, and grief for the premature death of his son, were the causes of his death; possessed of an excellent constitution, his faculties remained uninjured until a few years before his decease, when his hearing became somewhat impaired. His person was of the middle stature and remarkably erect and well-proportioned: in his youth, his features were handsome; his hair and eyes were black; his nose aquiline; his face round; and his complexion fair.

His temper was naturally ardent, but his exertions to attain the command over it were, in some degree, crowned with success. He possessed, however, during his whole life, a redundancy of spirit and vehemence of expression, which frequently created in himself strong and sorrowful feelings. On ordinary occasions he was taciturn and reserved; he was involved habitually in deep thinking,

and when he had formed his decision, was tenacious of his opinion. He was, by many, considered proud; an unjust opinion, which arose, probably, from his natural reserve. He did not, however, undervalue his public services, although he was too independent to solicit a vote, and too honest to vote upon any popular occasion, in opposition to the convictions of his own conscience, or to his own proper ideas of the public welfare. In fact, his disinterested, honest and upright conduct, rendered him a model for all politicians: without popular manners, he was semi-annually elected to public office for more than fifty years, thus reviving the observation of the poet, "that corruption wins not more than honesty."

Mr. Williams was a man of piety: he entertained the religious opinions of the Congregationalists, of which communion he became a member in his youth, and through the course of a long life he never varied from his professions. In all the various situations in which he was placed, and the connexions which he was compelled to form with all classes of people, he preserved, unblemished, his Christian character, conduct, and conversation. The high opinion which his brethren of the church entertained relative to his piety and virtue, may be inferred from his election, when a young man, to the office of deacon, which he retained until his death. "At length the time that Infinite Wisdom had fixed being come, and the stores of nature being exhausted, he gave up the ghost, and died in a good old age, an old man and full of years; and he was gathered to his people."

OLIVER WOLCOTT.

OLIVER WOLCOTT, the youngest son of Roger Wolcott, was born the twenty-sixth of November, 1726. He was graduated at Yale college in 1747. In the same year he received a commission as captain in the army, from Governor Clinton of New York, and immediately raised a company, at the head of which he marched to the defence of the northern frontiers, where he served until the regiment to which he was attached was disbanded, in consequence of the peace of Aix-la-Chapelle. He then returned to Connecticut, and applied himself to the study of medicine, under the direction of his brother, Dr. Alexander Wolcott, then a distinguished practitioner. Before he was established in practice, the county of Litchfield was organized, and he was appointed the first sheriff of the county, in 1751. In the year 1774, he was promoted to the station of an assistant or counsellor, to which he was annually elected till the year 1786. While a member of the council, he was also chief judge of the court of common pleas for the county, and for many years judge of the court of probate for the district of Litchfield. He served in the militia in every grade of office, from that of captain to that of major-general. On all the questions preliminary to the revolutionary war, he was a firm advocate of the American cause. In July, 1775, he was appointed by congress one of the commissioners of Indian affairs for the northern department. This was a trust of great importance. Its object was to induce the Indian nations to remain neutral during the war. While he was engaged in this business, the controversies respecting boundaries between Connecticut and Pennsylvania, and between Vermont and New York, menaced the tranquillity of the colonies, and exposed them to the seductions of British partizans. Mr. Wolcott's influence was exerted, with great effect, to compromise these disputes, and to unite the New England settlers in support of the American cause.

In January, 1776, he attended congress at Philadelphia, and



RES OF OLIVER WOLCOTT

Engraved by J. H. Russell 1853



remained with that body till the Declaration of Independence was adopted and signed. He then returned to Connecticut, and on the fifteenth of August was appointed by Governor Trumbull and the council of safety, to command fourteen regiments of the Connecticut militia, which were ordered for the defence of New York. This duty he performed till the force, amounting to more than five thousand men, was subdivided into four brigades. He then returned home for a few weeks. In November, 1776, he resumed his seat in congress, and accompanied that body to Baltimore during the eventful winter of 1777. The ensuing summer, he was constantly employed in superintending detachments of militia, and corresponding on military subjects. After detaching several thousand men to the assistance of General Putnam on the North river, he headed a corps of between three and four hundred volunteers, who joined the northern army under General Gates, where he acquired a command of between one and two thousand militia, who aided in reducing the British army under General Burgoyne. In February, 1778, he attended congress at York Town, and continued with that body till July. In the summer of 1779, after the invasion of Connecticut by the British, he was in the field at the head of a division of the militia, for the defence of the sea coast. In 1780, he remained in Connecticut. From 1781 to 1783, he occasionally attended congress. In 1784 and 1785, he was one of the commissioners of Indian affairs for the Northern department, and, in concert with Richard Butler and Arthur Lee, prescribed the terms of peace to the Six Nations of Indians. From 1786, he was annually elected lieutenant-governor till 1796, when he was chosen governor; which office he held till his death, on the first of December, 1797, in his seventy-second year.

This brief recital of the services of Oliver Wolcott proves that during an active and laborious life, devoted to the public service, he constantly enjoyed the confidence of his fellow citizens—a confidence alike honourable to him, and to the people of the state. He married Laura Collins, of Guilford, in the year 1755, with whom he lived till her death in 1795. In the arduous duties in which he was engaged during the revolutionary war, he was well supported by his wife, who, during his almost constant absence from home, educated their children, and conducted the domestic concerns of the family, including the management of a small farm, with a degree of fortitude, perseverance, frugality and intelligence, equal to that which, in the best days of ancient Rome, distinguished their most illustrious

matrons. Had it not been for her aid, his public services could not have been rendered, without involving a total sacrifice of the interests of his family; with her aid, his house was a seat of comfort and hospitality; and by means of her assistance, he retained during life a small estate, a part of which was a patrimonial inheritance.

The person of Mr. Wolcott was tall and erect, indicating great personal strength and dignity. His countenance manifested a sedate and resolute mind. His manners were urbane, and through life he was distinguished for modesty. Though firm and tenacious of his own opinions, which he distinctly expressed on all suitable occasions, he ever manifested great deference for the opinions of others. He was indeed a republican of the old school, and his ideas of government and social liberty were derived from the purest sources. He was never idle; dissipation had no charms for him. Though not a learned man by profession, the writings of the most celebrated historians, biographers, poets, and orators, both ancient and modern, were familiar to his mind, and afforded him the only relaxation in which he indulged from active exertions. He was intimately acquainted with public law, and with the works of the great luminaries of science, who flourished in Europe, subsequent to the reformation. His integrity was inflexible, his morals were strictly pure, and his faith that of an humble Christian, untainted by bigotry or intolerance.

Mr. Wolcott was personally acquainted with, and esteemed by, most of the great actors of the American revolution, and his name is recorded in connexion with many of its most important events. It is the glory of our country, that the fabric of American greatness was reared by the united toils and exertions of patriots in every state, supported by a virtuous and intelligent people. It is peculiar to our revolution, and distinguishes it from every other, that it was recommended, commenced, conducted, and terminated under the auspices of men, who, with few exceptions, enjoyed the public confidence during every vicissitude of fortune. It is therefore sufficient for any individual to say of him, that he was distinguished for his virtues, his talents, and his services during the age of men—

"Of men, on whom late time a kindling eye
Shall turn, and tyrants tremble while they read."

That Mr. Wolcott was justly entitled to this distinction was never disputed by his contemporaries.



WM FLOYD

WILLIAM FLOYD.

THE first delegate of New York, whose name appears on the Declaration, was WILLIAM FLOYD. This gentleman was the son of an opulent and respectable land-holder in the county of Suffolk, upon Long Island, who left him, at an early age, the principal inheritor of his estate. He was born on the seventeenth of December, 1734. His education, although liberal for the times, was chiefly confined to the useful branches of knowledge, and was hardly completed, when he was called, by the death of his father, to assume the management of his patrimonial estate. His early life was principally spent in the circle of an extensive family connexion, which comprised the most respectable families in the county. The country in which he lived, at that time abounded with game of every variety, and having little to occupy his attention, much of his time was devoted to hunting, an amusement to which he was passionately addicted. His hospitality corresponded with his means of indulging in it, and his house became the perpetual resort of an extensive acquaintance, and the frequent scene of social festivity.

He embarked, at an early period, in the controversy between Great Britain and the colonies, and as it grew more animated, became conspicuous for the zeal and ardour with which he espoused the popular cause. There was in his conduct, both in public and private life, a characteristic sincerity which never failed to inspire confidence; and which, combined with the warmth and spirit with which he opposed the usurpations of the British government, had acquired for him an extensive popularity. It was doubtless from these considerations, that he was appointed one of the delegates from New York to the first continental congress, which met in Philadelphia on the fifth of September, 1774. In that patriotic and venerable assembly, he was associated with men whose names are identified with their country's birth, and will long be cherished in grateful remembrance.

Previous to his attendance in congress, Mr. Floyd had been ap-

pointed to the command of the militia of the county of Suffolk, and upon his return, he found Long Island menaced with an invasion from a naval force assembled in Gardiner's Bay, with the avowed object of gathering supplies. When the landing of the enemy was reported to him, he promptly assembled the force under his command, and marched to the point of attack. It was, perhaps, fortunate for his little army, composed of raw and undisciplined militia, that the terror of their approach left nothing for their arms to accomplish. The activity displayed, however, had an important effect in inducing the enemy to abandon their design.

In April, 1775, having been again chosen, by the provincial assembly of New York, a delegate to the general congress of the colonies, he took his seat in the second continental congress, which met in Philadelphia on the tenth of May following, and continued a constant attendant for more than two years. As a member of this congress, General Floyd united with his illustrious associates in boldly dissolving the political bonds which connected the colonies to the British crown, and co-operated in the arduous and responsible task of arraying them in hostility to the British empire. Under circumstances of danger and distress, with difficulties almost insurmountable, and embarrassments the most complicated, they were raised from the posture of supplication, and clothed in the armour of war.

During this interesting and protracted session, General Floyd was constantly and actively employed in the discharge of his public duties, to which he bestowed the most unremitting attention. He was chosen on numerous and important committees, the details of which were complicated, difficult, and, in many cases, extremely laborious. In procuring supplies for the army, in forwarding the expedition ordered against Canada, and particularly in introducing an efficient organization of the militia, (which may be said to have been the mother of the regular army,) as well as in many other matters to which his attention was particularly directed by congress, he was enabled, by his experience and habits of business, to render essential service.

During his attendance in congress, Long Island was evacuated by the American troops, and occupied by those of Great Britain. His family, in consequence of this event, were driven from their home in great haste and confusion, and were removed by his friends into Connecticut. The produce and stock of his estate were seized by the enemy, and the mansion-house selected as a rendezvous for a party of horse, by whom it was occupied during the remainder of

the war. This event was the source of serious inconvenience to him, as it precluded him from deriving any benefit from his landed property for nearly seven years, and left him without a house for himself and his family.

On the eighth of May, 1777, General Floyd was appointed a senator of the state of New York, under the constitution of the state which had then been recently adopted. On the thirteenth of May, the provincial convention passed a resolution, that the thanks of the convention be given to him and his colleagues, "delegates of the state of New York in the honourable the continental congress, for their long and faithful services rendered to the colony of New York and to the said state."

On the ninth of September, 1777, he took his seat in the senate of New York, at their first session under the new constitution. Of this body, he became a leading and influential member, and attended in his place, with some short intervals, until the sixth of November, 1778, when they adjourned.

On the fifteenth of October, 1778, he was unanimously re-elected a delegate to the continental congress, by a joint ballot of the senate and assembly, and on the second of January following, resumed his seat in that body, where he soon became actively employed on numerous committees, and continued in attendance until the ninth of June, when he obtained leave of absence.

On the twenty-fourth of August, 1779, the senate of New York again convened, and he continued to meet with them until the following December.

Having been, on the eleventh of October, 1779, unanimously re-elected a delegate to the continental congress, he again attended in his place on the second of December. On the next day he was elected a member of the board of admiralty, and on the thirteenth was chosen a member of the treasury board. His health having become impaired by his incessant occupation, he applied to congress, on the first of March following, to be excused from the board of treasury, and on the first of April, he obtained leave of absence.

On the twenty-third of May, the senate of New York again convened, and on the twenty-seventh, they ordered the clerk to write to Mr. Floyd, and request his attendance in his place without delay. In compliance with this demand, he took his seat on the twentieth of June, and was appointed upon a joint committee to deliberate upon certain resolutions of congress, embracing all the most interesting relations existing between the state and general government.

On the twelfth of September, 1780, General Floyd was again elected a delegate to congress. He, however, continued his attendance in the senate, until they adjourned on the tenth of October, and on the fourth of December he resumed his seat in congress.

He was continued a delegate to congress by several successive appointments, and remained, with some short intermissions, a constant attendant until the twenty-sixth of April, 1783, when, having seen his country safely through a long and perilous war, he returned to his home after an exile of seven years. His return was hailed in his native county with great demonstrations of joy; many, through his influence, had remained faithful to the cause under every trial; nor would they credit the restoration of peace, until they beheld him safely returned. He found his estate despoiled of almost every thing but the naked soil, through the malice and cupidity of the tories, who had resorted thither for plunder. His private concerns now demanding more of his attention than comported with his duties as a delegate to congress, he declined a re-election. He was, however, by several successive elections, continued a member of the senate until the year 1788, when, upon the adoption of the federal constitution, he was elected a member of the first congress, which met in New York on the fourth day of March, 1789. At the expiration of his term of service, he again declined a re-election.

During his long attendance in the senate of the state of New York, he maintained a high and enviable rank, and generally presided in that body when the lieutenant-governor left the chair. Under the administration of Governor Clinton, he contributed his influence to the adoption of a code of laws, which placed the rights of persons and of property upon the most substantial and permanent basis.

Having enumerated the principal events of his public life, it is proper, in this place, to offer a few observations in relation to his character. He was not of that number who astonish by the splendour of their conceptions, or amuse and interest us by the brilliancy of their fancy, and the ingenuity of their speculations. His thoughts were the representations of real existences, and his plans were regulated by a full view of their practicability; his reasoning was the logic of nature, and his conclusions, the demonstrations of experience. Hence it arose, that in the accomplishment of his purposes, he seemed insensible to every difficulty; obstructions wasted away before his perseverance, and his resolution and firmness triumphed over every obstacle. He was remarkable for the justness of his observations, and the accuracy of his judgment.

Mr. Floyd was of a middle stature, with nothing particularly striking. But there was a natural dignity in his deportment, which never failed to impress beholders. As a politician, his integrity was unblemished, nor is it known that, during the height of party animosity, his motives were ever impeached. He seldom participated in debate; his opinions were the result of his own reflections, and he left others to the same resource. He pursued his object openly and fearlessly; and disdained to resort to artifice to secure its accomplishment. His political course was uniform and independent, and marked with a candour and sincerity which attracted the approbation of those who differed from him in opinion. The most flattering commentary upon his public life will be found in the frequent and constant proofs of popular favour which he received for more than fifty years.

In the year 1800, he was chosen one of the electors of president and vice president of the United States. His feelings had been excited by the conduct of the previous administration, endangering, as he thought, the permanency of our institutions, and neither the precarious state of his health, the remonstrances of his friends, nor a journey of two hundred miles, in the month of December, could prevent him from attending to support his early political friend and associate, Mr. Jefferson.

In 1801, he was elected a member of the convention to revise the constitution of the state of New York, and, at a subsequent period, served twice as presidential elector. At the earnest solicitation of his friends, he was once more elected a senator from the senatorial district into which he had removed, but, from the advanced period of his life, he was unable to bestow much attention to his public duties. In 1820, although he was unable, from the infirmities of age, to leave his home, he was again complimented with being named upon the electoral college.

His bodily strength and activity were remarkable for his years; and he enjoyed an almost uninterrupted state of health until a year or two before his death: his mental vigour remained unimpaired to the last. A short time previous to his demise, he complained of an unusual debility: on the first of August, 1821, he was affected with a partial stagnation in the current of the blood, and expired on the fourth, at the age of eighty-seven years, meeting death with the characteristic firmness which distinguished him through life.

PHILIP LIVINGSTON.

PHILIP LIVINGSTON, one of the signers of the Declaration of Independence, was a member of a family which has long been distinguished in the state of New York. His great grandfather was John Livingston, a celebrated divine in the church of Scotland, who emigrated in 1663 to Rotterdam, where he died in 1672. His son Robert, a man of distinguished abilities and high respectability, soon after came to America, and obtained a grant for the manor of Livingston, in the then colony of New York. He had three sons, Philip, Robert, and Gilbert. Philip, the eldest son, was heir to the manor: Robert was the grandfather of the celebrated Chancellor Livingston, and Gilbert was the grandfather of the Rev. Dr. John H. Livingston, one of the most eminent divines in America. Philip had six sons, all of whom ranked among the most respectable men of the times. The fourth son, who was named after his father, is the subject of this memoir, and has covered his name with immortal honour, by enrolling himself in the illustrious band of patriots who pronounced the United States free and independent.

Philip Livingston was born at Albany on the fifteenth of January, 1716. The high standing of his family entitled him to a correspondent education, and, after preliminary instruction, he was sent to Yale College in Connecticut, where he graduated in 1737. His first appearance in public life was in September, 1754, when he was elected an alderman of the east ward of the city of New York. That city then contained only a population of ten thousand eight hundred and eighty-one souls. It was divided into seven wards, and the station of an alderman was considered important and respectable. He continued to exercise this office with universal approbation and signal usefulness for nine years, being annually elected by the freeholders and freemen of the city, entitled to vote in the ward which he represented.

On the sixteenth of December, 1758, the general assembly of the colony was dissolved by James Delancey, who was then lieutenant-governor. A new house of assembly was consequently chosen.



MONUMENT OF P. LIVINGSTON

1847



Mr. Livingston was, at that election, returned a member from the city of New York, and is denominated in the colonial journals, Alderman Philip Livingston, to distinguish him from his brother and other gentlemen of his name, who were also members.

When the general assembly met in 1759, Great Britain was at war with France, and as the tendency of foreign controversy is to repress internal dissension, an harmonious intercourse existed between the different branches of the government; and the province co-operated with great zeal in a project to raise twenty thousand men by the united colonies, for the purpose of subduing Canada. The legislature agreed to furnish two thousand six hundred and eighty men, as the quota from New York. One hundred thousand pounds were appropriated for levying, paying, and clothing the troops, and an advance of one hundred and fifty thousand pounds was made to the British commissariat, whose funds were exhausted. In consequence of similar spirited measures on the part of the sister colonies and the mother country, Ticonderoga, Crown Point, and Quebec, were captured, and the subsequent year witnessed the subjugation of all Canada.

The talents and education of Mr. Livingston enabled him to take a distinguished part in the promotion of these important measures, and on other occasions of general and primary interest. In his legislative career he was particularly sedulous in the encouragement of agriculture and commerce, by facilitating communication with the ocean, and establishing the character of our productions in external or foreign markets. The various measures which he initiated, and the different bills which he brought in for these important purposes, may be seen in the journals of the colonial assembly, and bear ample testimony to the extent of his information, the power of his mind, and the ardour of his patriotism.

At a meeting of the general assembly, on the eleventh of September, 1764, Mr. Livingston reported an answer to Lieutenant-Governor Colden's speech, which contained the following passage, deserving of the highest praise for its spirit of genuine patriotism, its recognition of the orthodox principles of the revolution, and its anticipation of that opposition and resistance which produced the glorious work of American independence: "But nothing can add to the pleasure we receive from the information your honour gives us, that his majesty, our most gracious sovereign, distinguishes and approves our conduct. When his service requires it, we shall ever be ready to exert ourselves with loyalty, fidelity, and zeal; and,

as we have always complied in the most dutiful manner with every requisition made by his directions, we, with all humility, hope that his majesty, who, and whose ancestors, have long been the guardians of British liberty, will so protect us in our rights, as to prevent our falling into the abject state of being for ever hereafter incapable of doing what can merit either his distinction or approbation. Such must be the deplorable state of that wretched people, who (being taxed by a power subordinate to none, and in a great degree unacquainted with their circumstances) can call nothing their own. This we speak with the greatest deference to the wisdom and justice of the British parliament, in which we confide. Depressed with this prospect of inevitable ruin, by the alarming information we have from home, neither we nor our constituents can attend to improvements conducive either to the interests of our mother country or of this colony. We shall, however, renew the act for granting a bounty on hemp, still hoping that a stop may be put to those measures, which, if carried into execution, will oblige us to think that nothing but extreme poverty can preserve us from the most insupportable bondage. We hope your honour will join with us in an endeavour to secure that great badge of English liberty, of being taxed only with our own consent, to which we conceive all his majesty's subjects at home and abroad equally entitled to."

This decided and energetic stand against the usurpations of Great Britain was followed up, at subsequent meetings, by eloquent and animated representations to the king, lords, and commons, written with great spirit and ability: and it appears, that in October, 1765, a committee from the general assembly met the several committees from the different governments on the continent, "to consult on the present circumstances of the colonies, and the difficulties to which they are and must be reduced, by the operation of the acts of parliament for laying duties and taxes on the colonies, and to consider of a general and united, dutiful, loyal, and humble representation of their condition to his majesty, and to implore relief." The proceedings of this congress were approved by the colonial assembly of New York, and remonstrances of a similar character and tendency were unanimously adopted by that body.

The governor, Sir Henry Moore, having dissolved the general assembly, a new general election was held, which resulted highly favourable to the whig party, or the party in opposition to British assumptions. On the twenty-seventh of October, 1768, Mr. L. was unanimously chosen speaker by twenty-four members who had con-

vened, and was presented, according to the forms of the British house of commons, to the governor, as the representative of royalty, for his approbation, which was given as a matter of course.

The proceedings of this assembly were correspondent with the exalted character of its presiding officer and leading members.

In December of this year, resolutions were adopted asserting the rights of the colonies against parliamentary usurpation: a correspondence was opened with the other provinces, and remonstrances prepared against the unwarrantable assumptions of Great Britain. The royal governor, taking umbrage at these proceedings, dissolved the general assembly on the second of January, 1769, and a new one was elected, which met at the usual place on the fourth of April following.

Although a majority of this body consisted of the creatures of the crown, yet some of the most distinguished members of the whig party were re-elected—Clinton, Van Cortland, Schuyler, Ten Broeck, and De Witt. Mr. Livingston declined an election for New York, and after a violent contest in that city, where one thousand five hundred and fifteen votes were taken, the candidates adverse to the popular party were elected. He was, however, returned as a member from the manor of Livingston; but, being in a minority, was not brought forward as speaker. But Mr. Livingston was marked out as an object of ministerial vengeance; and, on the very same day, Mr. Thomas moved to vacate his seat on account of his not being a resident of the manor of Livingston.

When Mr. Thomas' resolution was considered, it appeared that Mr. Livingston was a freeholder of the manor of Livingston; that for fifty-three years, except in three instances, the manor was represented by non-residents, and that, in twenty-one out of twenty-four cases, non-residents were permitted to represent counties. In pursuance of pre-determined hostility, his seat was vacated by seventeen to six votes, and his legislative career in that body terminated. The general assembly, from that period, continued devoted to British supremacy. As late down as the seventeenth February, 1775, a motion was made to thank Philip Livingston and his colleagues, for their conduct as delegates to the continental congress, held at Philadelphia in September and October previously, which was negatived.

Mr. Livingston was chosen a member of the first congress, which met at Philadelphia on the fifth of September, 1774. In this assem-

bly he took a distinguished part and was appointed on the committee to prepare an address to the people of Great Britain.

This illustrious body adjourned on the twenty-sixth day of October, and re-assembled on the tenth May, 1775.

A provincial convention, held at the city of New York on the twenty-second of April, 1775, appointed Philip Livingston, and others, delegates to that congress, who, or any five of them, were intrusted with full powers to concert with the delegates from the other colonies, and determine on such measures as should be judged most effectual for the preservation and re-establishment of American rights and privileges, and for the restoration of harmony between Great Britain and the colonies.

Mr. Livingston, together with several of his colleagues, attended this congress, and on the fourth of July, 1776, he, together with William Floyd, Francis Lewis, and Lewis Morris, affixed their signatures to the Declaration of Independence in behalf of the state of New York, and on the ninth of the same month, the convention of New York, assembled at White Plains, unanimously sanctioned the measure.

On the fifteenth of July, 1776, he was chosen by congress a member of the board of treasury, and on the twenty-ninth of April following, a member of the marine committee; two important trusts, in which the safety and well-being of America were essentially involved.

On the thirteenth of May, 1777, the state convention re-elected him to congress, and thanked him and his colleagues for their long and faithful services, rendered to the colony and state of New York.

His attendance in the continental congress did not, however, preclude his employment at home in affairs of importance. On the twenty-second November, 1774, he was elected a member of the association formed to execute the plan of commercial interdiction against Great Britain. On the twentieth of April, 1775, he was appointed president of the provincial congress assembled in New York. On the first of February, 1776, he was unanimously chosen a member of the general assembly for the city of New York. On the sixteenth of April, following, he was selected as a delegate of the next provincial congress; and in the ensuing June, he was chosen to serve in the same body the next year; with the additional power of framing a new government or constitution for the colony.

On the twentieth of April, 1777, the constitution of the state was

adopted at Kingston. On the eighth of May following, Mr. Livingston was chosen a senator under it, for the southern district, and on the tenth of September, he attended in that capacity the first meeting of the first legislature of the state of New York.

On the second of October, 1777, he, together with James Duane, Francis Lewis, William Duer, and Gouverneur Morris, were elected by the legislature the first delegates to congress, under the constitution of the state.

On the fifth of May, 1778, he took his seat in congress, at the most critical and gloomy period of the revolution. That body had retired to York in Pennsylvania, after the British had taken possession of Philadelphia. Mr. Livingston had been requested by the state government to attend and devote his faculties to the salvation of his country. Although feeble in body and low in health, he consented to forego all considerations but those of patriotism. His family were at that time in Kingston, and previous to his departure for congress, he visited his relatives in Albany, and after his return he addressed to them a valedictory letter, expressing his firm conviction that he never would see them again; this opinion he reiterated to his family when he bade them a final adieu. It was a subject of great regret to Governor Clinton, that imperious considerations had induced him to urge the measure. On the twelfth of June, he died, deprived of the consolations of home and the society of all his family except his son Henry, a youth of eighteen, who, on hearing of his father's illness, immediately left the family of General Washington, where he resided, to perform the last duties to his dying father.

On the twelfth of June, congress adopted the following resolution.

"Congress being informed that Mr. P. Livingston, one of the delegates for the state of New York, died last night, and that circumstances require that his corpse be interred this evening.

"Resolved, that congress will in a body attend the funeral this evening at six o'clock, with a crape round the arm, and will continue in mourning for the space of one month.

"Ordered, that Mr. Lewis, Mr. Duer, and Mr. G. Morris, be a committee to superintend the funeral, and that the Rev. Mr. Duffield, the attending chaplain, be notified to officiate on the occasion."

Mr. Livingston's name is mentioned in the charter of the New York City Library as one of those who, in 1754, set on foot a subscription to erect a public library, and who were afterwards incorporated in 1772. It was originally contemplated to erect an edifice

for a museum and observatory, as well as library; but that part of the plan has not been realized.

A charter was granted for a hospital in New York, in 1771, of which Mr. Livingston was one of the first governors. He was also one of the founders of the chamber of commerce, which was incorporated the antecedent year: and he aided in the establishment of King's, now Columbia, college.

He married Christina the daughter of Colonel Dirck Ten Broeck, by whom he had five sons and three daughters. Few men have been more favoured in the respectability and prosperity of their connexions: he could look back on his ancestors with a proud consciousness that they always stood in the first ranks of distinguished citizens; he could always realize the same conviction in his contemporary relatives; and if Providence had prolonged his valuable life to the present time, he would have seen, in his numerous descendants, characters exceeded by none, in those accomplishments which adorn society, and in those virtues which give dignity to human nature.

The life of Mr. Livingston was distinguished for inflexible rectitude and patriotic devotion. He was also a firm believer in the sublime truths of religion, and an humble follower of our divine Redeemer.

As one of the founders of American independence, he foresaw the difficulties, perplexities, sacrifices, and dangers, that were to be encountered; and, in its earliest stages, he proceeded with that wisdom and circumspection which were demanded by his age, experience and character; and which served as a salutary check on the more animated career of some of his youthful associates. When, however, it became necessary to draw the sword, and to sever the empire; when petitions were answered by insults, and the demands of freemen were met by the bayonet; then he did not hesitate to assume the highest responsibilities, and to put in jeopardy his life and large estate. During the whole of the revolutionary war, he and his family were in a state of exile; and they were even pursued, in their sequestered retreat at Kingston, by the conflagrations of a British army. A short time previous to his demise, he sold a portion of his property to sustain the public credit, and with a full presentiment of approaching death, arising from the nature of his complaint, which was a hydrothorax, or dropsy in the chest, he did not hesitate to relinquish the sweets of home, and the endearments of a beloved family, and devote the last remnant of his illustrious life

to the service of his country, then enveloped in the thickest gloom of adversity.

In his temper, Mr. Livingston was somewhat irritable, yet exceedingly mild, tender, and affectionate to his family and friends. There was a dignity, with a mixture of austerity, in his deportment, which rendered it difficult for strangers to approach him, and which made him a terror to those who swerved from the line, or faltered in the path, of personal virtue and patriotic duty. He was silent and reserved, and seldom indulged with much freedom in conversation. Fond of reading, and endowed with a solid and discriminating understanding, his mind was replenished with various, extensive and useful knowledge.

His last moments were correspondent with the tenor of his well-spent life. He met with characteristic firmness and Christian fortitude, the trying hour which separated him from this world.

He taught us how to live, and (oh ! too high
The price for knowledge,) taught us how to die

FRANCIS LEWIS.

FRANCIS LEWIS was born in the month of March, 1713, at Landaff in the shire of Glamorgan, South Wales, where his father was established as a Protestant Episcopal clergyman. His mother was the daughter of the Rev. Dr. Pettingal, a clergyman of the same profession, in Caernarvonshire, North Wales. He was their only child; but death soon deprived him of his natural guardians, and left him an orphan at the age of four or five years. At this tender stage of life, he was consigned to the care of a maternal maiden aunt, named Llawelling, who resided in Caernarvon. A strong and proud attachment to her country was a peculiar feature in the character of this respectable lady, who appears to have been devoted to every thing connected with the ancient British: hence she took particular pains to render her nephew, in early youth, master of the Cymraeg, or native language of his country; a knowledge of which he retained through the course of his life: he was also sent to Scotland, where he acquired, in the family of a Highland relation, the Gaelic language, which is said to be the oldest and purest dialect of the Celtic.

When young Lewis had arrived at the proper age, he was transferred to the tutelage of a maternal uncle, then Dean of St. Paul's in London, by whom he was placed at Westminster school, where he completed his education and became a good classic scholar. He then entered the counting-room of a merchant in the city of London, where he served a regular clerkship, and acquired a very extensive and judicious knowledge of commerce, which became the occupation of his future life. When he attained the age of twenty-one years, he came into possession of a moderate amount of property, which he converted into merchandize, and embarked with it for the city of New York, where he arrived in the spring of 1735. Finding that his cargo was too extensive for the New York market, he formed a commercial connexion with Mr. Edward Annesley, a



FRANCIS LEWIS

descendant of the ancient Anglesey family, and repaired, with a portion of his merchandize, to Philadelphia, leaving his partner to dispose of the residue in New York.

At the expiration of two years, he returned to New York, where he permanently established his residence and engaged extensively in navigation and foreign trade. At this period he married Elizabeth Annesley, the sister of his partner: the offspring of this connexion was seven children, four of whom died during infancy, and the three younger lived to become the parents of a numerous progeny.

One of his first shipments to Europe consisted of an entire cargo of wheat; and he frequently remarked, that, from its novelty, it was at that time the subject of much conversation. The port of New York being inadequate to the supply of a full freight for the vessel, he was compelled to send her round to Philadelphia to complete her lading: the average price of wheat was three shillings and four pence, currency, per bushel. In the prosecution of his mercantile pursuits, which exhibited peculiar perseverance and enterprise, he traversed a great part of the continent of Europe. He was twice in Russia, and visited all her sea-ports from Petersburg to Archangel: he also visited the Orkney and Shetland islands, and was twice shipwrecked on the coast of Ireland.

During the French war, Mr. Lewis attended the English troops as agent for supplying them with clothing. Being a friend of the commandant of Fort Oswego, he remained with him in the capacity of aid on the investment of the fort, and became a prisoner to the French.

After the surrender of Fort Oswego, in 1756, it is reported that Montcalm barbarously gave permission to the chief warrior of the savages, who composed a part of his forces, to select about thirty of the garrison as his portion of the prisoners. Mr. Lewis was included among the number, and it is handed down by an idle tradition that, in this fearful extremity, his life was preserved by a certain resemblance which existed between the Welsh and the Indian tongues.

From the termination of the Canadian war, to the commencement of the revolution, Mr. Lewis uniformly co-operated with those early patriots who opposed the gradual encroachments of the British government on the rights of the American people. He was one of the first to enrol his name among the "sons of liberty,"—an association which exhibited the earliest dawn of a determination to resist force by force. When it was attempted to put the stamp act

in operation, he retired from business to his country-seat on Long Island, where he continued to reside until the year 1771. Being then desirous of establishing his eldest son in the mercantile profession, he embarked with him for England, and towards the close of that year returned with a large quantity of dry-goods, and recommenced business under the firm of Francis Lewis and Son. On the commencement of hostilities in 1774-5, he again retired from commercial pursuits.

The patriotism, firmness, integrity, and abilities which had characterized the career of Mr. Lewis for almost half a century, pointed him out to his fellow citizens as a fit representative to the continental congress, and on the twenty-second of April, 1775, he was unanimously elected a delegate, with full power to concert and determine on such measures as should be judged most effectual for the preservation and re-establishment of American rights and privileges, and for the restoration of harmony between Great Britain and the colonies. On the twenty-first of December, 1775, he was continued, by the provincial congress of New York, a delegate from that state for the year 1776, and affixed his signature to the Declaration of Independence with a pride and exultation, only equalled by the ardour with which he supported its adoption. In a convention of the representatives of the state of New York, held at White Plains, on the ninth of July, 1776, the conduct of her congressional delegates was, as has been mentioned, fully approved, and it was unanimously resolved that the reasons assigned by the continental congress for declaring the United Colonies free and independent states, were cogent and conclusive; and that, while they lamented the cruel necessity which had rendered that measure unavoidable, they would, at the risk of their lives and fortunes, unite with the other colonies in supporting it.

At the election held at Kingston, by the representatives of New York, on the thirteenth of May, 1777, Mr. Lewis was not included in the representation to congress, but received the formal thanks of the convention for his long and faithful services rendered to the colony and state of New York. At the first meeting, however, of the legislature, he was again elected a delegate, on the second of October, 1777, and appeared in his place on the fifth of the following December. On the sixteenth of October, 1778, he was, for the fourth and last time, appointed to represent the state in the national legislature. On the twenty-seventh of April, 1779, he obtained leave of absence, which appears to have terminated his career in

congress, after a long, laborious, and energetic display of the patriotism and abilities which had procured him the distinguished honour of a seat in the most illustrious assembly that the world has ever witnessed. In the various duties which devolved on him, he uniformly acted with prudence and precision, both as it regarded the great national questions which were discussed in the house, and the less distinguished but not less necessary business of committees. In his employment in secret services, and particularly in his purchases of clothing for the army, in the importation of arms and ammunition, and in contracting for provisions, he displayed the peculiar qualifications which might be expected from his commercial abilities. As a member of the committee of claims, instituted for the purpose of putting the accounts of the continent in a proper train of liquidation and settlement, his professional knowledge was equally valuable and correct. From the same cause, he was an efficient member, in 1775, of the committee, on the Albany treaty with the Six Nations of Indians, appointed to mature a plan for re-opening the trade with those Indians at Albany and Schenectady, and to devise ways and means for procuring goods proper for that trade. On the eleventh of December, 1775, he was appointed one of a committee to devise some mode of furnishing the colonies with a naval armament, and was a valuable member of the committee of commerce. On the twentieth of September, 1776, he was delegated, together with Mr. Sherman and Mr. Gerry, to repair to head quarters, near New York, to inquire into the state of the army, and to devise the best means of supplying its wants. But it is impossible to enumerate the varied and valuable duties performed by Mr. Lewis during the period of his services in congress. On the seventh of December, 1779, not long after his retirement from that body, he was appointed a commissioner for the board of admiralty, which office he accepted.

At the time of his first election to congress in 1775, Mr. Lewis unfortunately removed his family and effects to his country-seat on Long Island, which was plundered, in the fall of 1776, by the British light-horse, under the command of Colonel Birtch. All his immovable property was wantonly destroyed, as well as his books and papers of every description. But the wrath of the marauders against the rebel representative, who had dared to brave the fury of offended royalty, by inscribing his name on the document which severed the British empire, was not appeased by the ruin in which they involved all his destructible property. The vengeance of party spirit was

basely and inhumanly visited on an unprotected and unoffending female, and the undaunted patriotism of the statesman was revenged in the person of his wife. Mrs. Lewis, with inconceivable brutality, was placed in close confinement, without a bed to lie upon, and without any change of clothes whatever, in which situation she remained during several months. This disgraceful affair was brought before congress on the eighth of November, 1776, and then referred to the board of war: on the third of December following, it was resolved that a "Mrs. Chamier be permitted to go to her husband at New York, and that Mrs. Lewis at Flushing, on Long Island, be required in exchange." It appears, however, that this unfortunate victim was finally exchanged through the influence of General Washington, for Mrs. Barrow, the wife of the British paymaster general, and Mrs. Kempe, the wife of the attorney general of the province. The consequence of her imprisonment was the entire loss of health; and in the course of two years, her life fell a sacrifice to this modern act of Vandalism. In fact, the conduct of the British was, in many respects, inhuman and disgraceful, particularly in the treatment of prisoners at New York. The wanton and oppressive devastation of the country, and the destruction of property; the brutal treatment of those who fell into their power; the savage butchery of others who had submitted and were incapable of resistance; and the lust and brutality of the soldiers in the abuse of women, have all inflicted a stain upon the British character and British arms, which all the glory of her Marlboroughs, her Nelsons, and her Wellingtons, can never efface; and the deep wound which pierced the bosom of America, still rankles and festers from generation to generation. From the report of a committee of congress, in April, 1777, it appears that the whole track of the British army through New Jersey was marked with the most wanton ravages and desolation; and that places of worship, ministers, and religious persons of certain Protestant denominations, were particularly treated with the most rancorous hatred, and at the same time with the greatest contempt. It has been asserted, on as good evidence as the case will admit, that, during the last six years of the war, more than eleven thousand persons died on board the Jersey prison-ship, which was stationed in East river, near New York; and for some time after the war, the bones of many of these victims lay whitening in the sun on the shores of Long Island. Conyngham, the provost marshal at New York, was a fellow who would not, says Graydon, have disgraced the imperial throne of the Cæsars, in the darkest days of

Roman tyranny; nor the republic of France at the most refulgent era of jacobinism. It is recorded, as a trait of his villany, that in the evening he would traverse his domain with a whip in his hand, sending his prisoners to bed with the ruffian-like exclamation of "kennel, ye sons of b—s! kennel, G—d d—n ye!" Colonel Ethan Allen, than whom few have ever felt more severely the hand of arbitrary power, declares that Joshua Loring, (husband of the lady immortalized in "the Battle of the Kegs,") the commissary of prisoners, was even a greater villain than Conyngham. His language on this occasion, so violent, yet characteristic of that singular man, demonstrates the irresistible excitement occasioned by a series of the most inhuman oppressions, and which once caused him to twist off with his teeth the nail which fastened the bar of his hand-cuffs: "Loring," he remarks, "is the most mean-spirited, cowardly, deceitful, and destructive animal in God's creation below; and legions of infernal devils, with all their tremendous horrors, are impatiently ready to receive Howe and him, with all their detestable accomplices, into the most exquisite agonies of the hottest regions of hell-fire."

The property of Mr. Lewis was almost all sacrificed on the altar of patriotism; and the peace which established the independence of his country, found him reduced from affluence to nearly a state of poverty; his real estate being little more than sufficient for the discharge of his British debts.

On the thirtieth day of December, 1803, this venerable man, and excellent citizen, was gathered to his fathers, in the ninetyeth year of his age, bequeathing to his posterity a name which shall long flourish in the annals of liberty, and affording an example of virtue, constancy, and personal sacrifice, which, if properly appreciated, will serve as a model upon which the rising patriot may found his fame, and to which the veteran statesman may look with mingled emotions of rivalry and admiration.

LEWIS MORRIS.

THE family of Morris was greatly distinguished, through several generations, in the province of New York. Its members were conspicuous in the public affairs of that colony, by high station and popular influence, as well as extensive possessions and illustrious descent.

LEWIS MORRIS, the subject of this memoir, was born at Morrisania, Chester county, New York, in the year 1726, and was the eldest of four brothers, of whom one, Staats, was a general officer in the British service, and member of parliament. Richard was judge of vice-admiralty, and chief justice of the state of New York, and Gouverneur was a distinguished orator and member of congress.

Lewis received the education usually given at that period to the sons of gentlemen, but with only the limited advantages which a residence in the country afforded.

At the age of sixteen he was sent to Yale College, where, under the care of the learned and pious Dr. Clap, he was taught the learned languages and mathematics; and his youthful mind was imbued with the lessons of morality and religion.

He was graduated as Bachelor of Arts, at the public commencement in 1746, and returning immediately to his paternal acres, he devoted himself assiduously to the theory and practice of agriculture.

This particular period has been called the golden age of the colonies. Certainly a remarkable degree of tranquillity and plenty, of peace and prosperity, was then enjoyed. The yoke of government sat lightly; the power of internal legislation was exercised with little restraint by the colonial legislatures; the authority of the crown was scarcely felt or seen, and the means of comfortable subsistence were within the easy attainment of all men.

At this happy era Lewis Morris passed from youth to manhood. He was one to whom, both for his illustrious descent and connexions, and for his large possessions, the eyes of the whole province of New York were turned; and he was, according to the



LEWIS MORRIS.

tradition that reaches us, richly endowed with all the most prepossessing and attractive graces of person and deportment.

Such attributes become the scorn of advanced years, but they are the glory of youth. It may, therefore, be worth recording, that Lewis Morris possessed a lofty stature, a singularly handsome face, and the most graceful demeanor, with a temperament so enthusiastic and ardent, and a disposition so benevolent and generous, as to render him in his native province the universal favourite of his coevals.

The town, however, with all its attractions of society and pleasure, could not draw him away, except occasionally, from the care of his estate at Morrisania, where he became a farmer on a very large scale of agricultural operations, which he carried on with spirit and success.

He was early in life blessed in a very happy matrimonial connexion with Miss Mary Walton, a young lady of large fortune and amiable character, who became the mother of six sons and four daughters.

In the year 1767, the province of New York was put to a severe trial of her spirit and firmness, by the act requiring additional supplies to be given to the king's troops. This imposition was very partial in its operation, only those places where parts of the royal army were quartered being subjected to its influence. Upon New York it operated with particular severity and inconvenience, and was an invasion of the right of property almost as gross as that which had been attempted in the stamp act.

On the subject of this law, and on the question of submitting to it, Mr. Morris was decided and unreserved. He did not hesitate to pronounce it unconstitutional, tyrannical, and not to be submissively borne; and he joined in promoting the spirit which induced the colonial legislature to refuse their compliance. After a few months of contumacy the province found itself obliged to submit, the royal troops were supplied with the salt, vinegar, beer and cider called for by the military requisition; and a sullen silence on the part of the inhabitants was supposed by the British government to be a proof of satisfaction.

At this time, the colony most seriously embroiled with the royal authority was Massachusetts Bay; but the others were by no means unconcerned spectators; and when, at length, the severe measures were successively adopted, of the revival of the statute of Henry the Eighth, for sending persons charged with treason to England for trial; the closing of the port of Boston; and the bill authorizing

the king's officers to send to England any person in Massachusetts accused of any offence; these tyrannical and cruel impositions were felt by the whole as aggressions on each, and by general consent the memorable congress of 1774 was assembled.

Mr. Lewis Morris was not a member of this congress. He was too decided and zealous an assertor of the rights of the colonies, and too bold a declaimer against the arbitrary acts of the ministry. The object at this time was peace, to be secured by compromise; and too rigid an adherence to the rights of the colonists, or too warm an expression of the sentiments which the conduct of the government could not fail to excite, might mar the scheme of pacification.

The choice of delegates to the congress of the succeeding year, was governed in a considerable degree by different principles, and men of less timid disposition, and more enthusiastic spirit, were in many cases substituted for more cautious and more loyal predecessors.

The bloody skirmish, sometimes called the battle, at Lexington, had occurred just in time to infuse fresh ardour into the hearts of the New York convention of deputies, which on the twenty-second of April, 1775, assembled for the purpose of choosing delegates to the general congress; and under the influence of this feeling they chose Mr. Morris as one of them; an appointment which he proceeded to fulfil, on the fifteenth of May, when he took his seat.

In the proceedings of the previous congress, the olive branch alone was discernible—humility, loyalty, patient suffering was the only boast; now the tone appears somewhat changed, the sword is shown, undrawn, in one hand; the olive branch still held in the other; a devoted attachment to the king was still professed; but this sentiment was curiously blended with an acknowledgment that reconciliation was quite uncertain, and with earnest recommendations to prepare for war. This mixture of affection and fidelity towards the king, with bitter complaints against his ministers, accompanied with a stern resolution to defend the rights of the colonies, is strikingly exemplified in the resolutions adopted very early in the session.

Soon after these first hints of war, Mr. Morris was placed on a committee, of which Washington was the chairman, to consider on ways and means to supply the colonies with ammunition and military stores. The labours of this committee were as embarrassing as any that could be imagined: the condition of the colonies as to the possession of the implements of war was nearly that of absolute

destitution; and the choice was difficult between the expediency of keeping the degree of their poverty, in that respect, a secret, and the urgent necessity of an appeal to the patriotism of the country at large for the means of a supply.

Mr. Morris continued during the residue of this session faithfully performing his duties on the floor and in committee; but before the commencement of the next, he went to the western country for the purpose of assisting in the difficult operation of detaching the Indians from the interests of the British government, and inducing them to join their force to that of the colonies. He continued at Pittsburg and the vicinity until the winter, and was in constant correspondence with the congress on the subject of Indian affairs.

Lewis Morris was, very early, a determined advocate of independence; but the people in general of this province, and particularly of the city, did not agree with him in this sentiment.

The intercourse had been particularly close and intimate between those people and the officers of the royal government. A considerable number of troops had usually been stationed at New York, and the officers had rendered themselves acceptable guests to the inhabitants, by adding greatly to the cheerfulness and bustle of the place; besides forming intimacies, and in some instances, connexions with the families of the citizens.

The "ministerial" fleet, as it was called even then by many persons who were quite ready to oppose it as such, but not yet reconciled to the idea of open hostility against the king, arrived at Sandy Hook while congress were debating the proposition introduced by Mr. Lee to issue a declaration of independence.

The danger that impended over New York, the prospect of such a scene of destruction as Falmouth and some other towns had already exhibited, or even the anticipation of a dilapidation like that which Boston had suffered from the occupation of the royal army, might have supplied a fair excuse for Mr. Morris, if he had desired to impede the adoption of the resolution, or had chosen to evade responsibility by absenting himself from the halls of congress. But, if he had an estate to be devastated and destroyed by the British troops, he had also a character for consistency to preserve, which he valued much more highly; and he had also a sincere, high-minded love of liberty and justice, which would not permit him to hesitate, if pride of reputation had been out of the question, between the safety of his individual property and the honour of his country.

In voting for the Declaration of Independence, and putting his

name to the instrument, at the very time when a large British army had landed within a few miles of his estate, and their armed ships were lying within cannon-shot of the dwelling of his family, he felt and knew that he was devoting his fine farm and mansion, and valuable timber, to the special vengeance of the British commanders, and therefore to the unrestrained devastations of the soldiery; but he had higher aims than the preservation of his own property; motives of action in which self-interest formed no part.

The operations of the hostile armies, very shortly afterwards placed Morrisania, as had been expected, in the power of the enemy; who did not spare the property of one that had just been affixing his name to a public renunciation and defiance of the king's authority.

His fine woodland of more than a thousand acres, all upon navigable water, and within a few miles of the capital—of a value not easily measured, but evidently worth an immense price—was totally laid bare and given up to plunder and conflagration. His house, from which his family were obliged to retreat, was spoiled and injured; his fences burnt or prostrated; his stock driven off; his domestics and tenants dispersed; and his whole estate laid waste and ruined, as much as was within the power and opportunity of the British forces.

During the interval between this period and the evacuation of New York, in the autumn of 1783, Mr. Morris and his family suffered great inconvenience from being thus cut off from their residence and their means of support. He was obliged in consequence to make many sacrifices, which caused him to return to the possession of his estates, impoverished far beyond the mere loss of his woods, his stock, and his fences.

The spirit with which he had met the difficulties of the contest, and which sustained him under the pressure of these misfortunes, was shared equally by his family, who did not regret the loss of their comforts, or the enjoyments to be purchased by wealth, knowing for what cause their father had subjected them to such privations. His three eldest sons had taken up arms, and exerted themselves as faithfully for their country in the field, as their father did in council.

Mr. Morris relinquished his seat in congress to his half-brother, Gouverneur, who was elected in his stead early in the year 1777, on which occasion the convention passed a resolution of thanks to him and his colleagues, "for their long and faithful services rendered to the colony of New York and the said state."

After this time, New York being in a greater or less degree the seat of war, he remained within the state, serving as a member of the legislature and an officer of the militia. In the legislature his high character, undaunted spirit and untiring zeal, were of the most important value to the cause of independence, which still, for some years of difficulty and bloodshed, was suspended in doubtful prospect. As an officer of the militia, he rose to the rank of a major-general, and contributed essentially to the effective organization and equipment of the militia of New York.

He lived to see peace restored to his country, her independence acknowledged, and her prosperity placed on the firmest basis, and secured by the wisest political constitution that has ever yet been framed.

The latter part of his life was passed at Morrisania, the elegant seat of his ancestors, where, turning his sword again into a scythe, he resumed the practice of agriculture; and in the delightful retirement of his farm, he met the advances of old age with serenity and happiness. Of his numerous offspring one only, the eldest son, preceded him to the tomb: the rest he had the satisfaction to see respectably settled in life, and supporting the high character of the family.

He died in January, 1798, in the seventy-second year of his age, and his remains were interred with military and civic honours, in the family vault at Morrisania.

RICHARD STOCKTON.

RICHARD STOCKTON, whose name is affixed to the Declaration of Independence, was the eldest son of John Stockton. He was born at the ancient family-seat of his forefathers, near Princeton, in the county of Somerset, New Jersey, on the first day of October, A. D. 1730. He received all the advantages which a finished education could confer upon a powerful and comprehensive mind. His instruction in the rudiments of classical science was, in early youth, confined to that profound scholar, the Rev. Dr. Samuel Finley, at an academy in West Nottingham, in the then province of Maryland. Having remained in that situation about two years, he was sent to the college of New Jersey at Newark, where he diligently pursued his studies for several years, and received the honours of the first annual commencement at Nassau Hall, A. D. 1748, which was then celebrated at that ancient town under the auspices of the eminent and learned divine, President Burr. At this early age he indicated that intellectual superiority which, ripened by experience, was so brilliantly evolved in the course of his public and professional career.

Soon after he was graduated, he applied himself to the study of the law, under the direction of the honourable David Ogden, of Newark, at that time the most eminent lawyer in the province. He was admitted to the bar in the term of August, 1754, and to the grade of counsellor in 1758, when he immediately established himself at his paternal seat, and rose with remarkable rapidity to the first rank in the forum. He stood, in fact, for many years, and by universal consent, unrivalled at the bar, although a number of his professional contemporaries were men of learning and brilliant talents. Having acquired a very competent fortune, he relaxed from the toils of professional business in the years 1766 and 1767, and visited England, Scotland, and Ireland.

Mr. Stockton had now been more than a year absent from home, during which period his professional business had been principally conducted by his friends, and, more particularly, by his brother-in-



RES. OF R STOCKTON, PRINCETON
N.J.



law, the late Elias Boudinot. Under these circumstances he became anxious to return to America, and his solicitude was greatly increased by the knowledge that his arrival was earnestly anticipated by his family and friends. Neither the amusements of the British capital, nor the fascinations of fashionable life, nor the pointed attentions which at that peculiar period were liberally lavished upon distinguished Americans, could longer detain him from the endearments of domestic life, and the society of a wife and family to whom he was tenderly attached. He embarked in a vessel bound to New York, in the month of August, and after a prosperous passage of twenty-six days, arrived at the port of destination about the fourteenth of September, 1767. He was received by his neighbours, relatives and friends, who testified their admiration of his character by escorting him to his residence, with the highest respect and most cordial affection.

In the year 1768, he was elevated to a seat in the supreme royal legislative judiciary, and executive council of the province, enjoying at the same time the full favour of the royal government, and the undiminished confidence of his friends and fellow citizens. In 1774 he was appointed one of the judges of the supreme court, and for some time performed the duties of that office as an associate with his old preceptor, David Ogden. During a happy interval of a few years, he cultivated and embellished an extensive and fertile landed estate, where he resided in the perfect enjoyment of every domestic blessing, surrounded by his family, and possessed of an ample fortune.

But the storm, which had been so long and gloomily gathering, now began to burst over the land, and prognosticate the desolation which attended the climax of its fury. The domestic felicity of Mr. Stockton was necessarily interrupted by the portentous aspect of public affairs, which indicated the approach of extensive private and political calamity. Holding a high and honourable station under the government of a monarch whose personal character he greatly respected, although he believed him to be misled by a corrupt ministry, and who had honoured him with especial marks of confidence, he was now compelled either to renounce his allegiance to that sovereign, or depart from the duties which he owed to his native land, and dissolve the ties that bound him to a country which contained the sepulchres of his ancestors.

Although the sacrifice may have been painful, it was made cheerfully and without hesitation. When the counsels of the Marquis of Rock

ingham, the Earl of Chatham, and other British patriots, were rejected, and he discovered that the British ministry had again resolved to enforce the odious right which they claimed of taxing the American colonies without their own consent, or granting them any representation in parliament, he promptly selected the course of conduct which he conceived it his duty to adopt. Although he had received numerous indications of official favour and personal attention from the king and many of the most eminent statesmen of the British empire, yet after contributing his strenuous exertions, in the first stages of the dispute, to effect a reconciliation between the mother country and the colonies, on principles consistent with civil liberty and the just rights of his country, he considered himself bound by paramount obligations, when the crisis of serious contest had arrived, to enrol himself among the defenders of American freedom. Separating, therefore, from his fellow members of the royal council, to whom as individuals he was warmly attached, but who, with the exception of Lord Stirling, John Stevens, and himself, were all royalists or neutral, he exerted himself on all proper occasions among the primary assemblies of the people, to procure the organization of a prudent and well-directed opposition to the arbitrary measures of the British ministry.

On the twenty-first of June, 1776, the public confidence reposed in the patriotism, firmness, and abilities of Mr. Stockton, was honourably manifested by the proceedings of the provincial congress of New Jersey, which elected him a member of the general congress then sitting in the city of Philadelphia. Among his colleagues was the Rev. Dr. Witherspoon, to whose happy emigration to America he is supposed to have been peculiarly instrumental. He, in conjunction with his fellow delegates from New Jersey, was empowered and directed to unite with the representatives of the other colonies in the most vigorous measures for supporting the just rights and liberties of America, and, if it should be deemed necessary or expedient, to concur in declaring the United Colonies independent of Great Britain, entering into a confederation for union and common defence, making treaties for commerce and assistance, and adopting such other measures as might appear necessary to effect the accomplishment of these great designs.

Mr. Stockton immediately took his seat in the continental congress, and was present at the debates which preceded the promulgation of that memorable charter of national independence to which his name is affixed. It has been remarked by Dr. Benjamin Rush,

who was a member of the same congress, that Mr. Stockton was silent during the first stages of this momentous discussion, listening with thoughtful and respectful attention to the arguments that were offered by the supporters and opponents of the important measure then under consideration. Although it is believed that, in the commencement of the debate, he entertained some doubts as to the policy of an immediate declaration of independence, yet in the progress of the discussion his objections were entirely removed, particularly by the irresistible and conclusive arguments of John Adams, and he fully concurred in the final vote in favour of that bold and decisive measure. This concurrence he expressed in a short but energetic address, which he delivered in congress towards the close of the debate.

He manifested his accustomed diligence and ability in the performance of his congressional duties, and was frequently appointed on the more important committees. His acute perceptions, logical powers of reasoning, superior eloquence, remarkable sagacity, and matured experience of men and things, united with a profound knowledge of law and politics, were properly appreciated by his associates, among whom he held a distinguished rank.

In the month of September, 1776, at the first joint meeting of the state delegates under the new constitution, William Livingston and Mr. Stockton were the first republican candidates for the office of governor. On the first ballot they received an equal number of votes: but, as the emergency of the crisis required an immediate nomination, the friends of Mr. Stockton were induced to acquiesce in the final election of his competitor. He was, however, immediately chosen, by a unanimous vote, chief justice of the state, which office he declined.

Mr. Stockton, during the summer and autumn of 1776, continued an assiduous and laborious attendance on his duties in congress. On the twenty-sixth of September he was deputed, in conjunction with his friend and fellow member, George Clymer, of Pennsylvania, on a committee to inspect the northern army, and report to congress the state of the army, and any further regulations which they might think necessary for its better government and supply. They proceeded to Albany, Saratoga, &c. and every facility to effect the important objects of their mission was afforded by the polite attentions and cordial concurrence of General Schuyler, who commanded the northern army. This service having been discharged in a success-

ful and exemplary manner, Mr. Stockton immediately resumed his seat in congress.

A paramount duty soon required his absence from the public councils. The residence of his wife and infant family being in the direct route of the triumphant enemy, he was compelled to make preparations for removing them to a place of safety. After remaining in his dwelling to the last period that the safety of his family admitted, affording to the remnant of our distressed army every assistance within his power, as the dejected troops passed along in melancholy succession, he conveyed his wife and younger children into the county of Monmouth, about thirty miles from the supposed route of the British army.

On the thirtieth of November, he was, together with his friend and compatriot John Covenhoven, at whose house he resided, unfortunately captured by a party of refugee royalists, through the treachery of a man acquainted with the place of his temporary residence, dragged from his bed by night, stripped and plundered of his property, and carried by the way of Amboy to New York. At Amboy he was exposed to the severity of extremely cold weather, in the common jail, which barbarity, together with his subsequent treatment in New York, laid the foundation of the disease which terminated his existence in 1781. On his removal to New York, he was ignominiously consigned to the common prison, and without the least regard for his rank, age, and delicate health, for some time treated with unusual severity. He was not only deprived of the comforts, but the necessities of life, having been left more than twenty-four hours without food, and afterward afforded a very coarse and limited supply. The inhuman treatment which he received, so repugnant to the principles of civilized warfare, and so intolerable to an individual who had been accustomed to all the comforts and delicacies of life, depressed his spirits and seriously affected his health.

So excessively malignant, indeed, was the conduct of the British in relation to Mr. Stockton, that it attracted the special attention of the general congress, who immediately passed the following resolution, which still appears on their journals.

“Whereas congress hath received information that the honourable Richard Stockton, of New Jersey, and a member of this congress, hath been made a prisoner by the enemy, and that he hath been ignominiously thrown into a common jail, and there detained: Resolved, that General Washington be directed to make immediate

inquiry into the truth of this report, and if he finds reason to believe it well founded, that he send a flag to General Howe remonstrating against this departure from that humane procedure which has marked the conduct of these states to prisoners who have fallen into their hands ; and to know of General Howe whether he chooses this shall be the future rule for treating all such, on both sides, as the fortune of war may place in the hands of either party."

After the release of Mr. Stockton, his constitution was so materially impaired that he never was again able, except by occasional counsel and advice, to render any important services to his country. In fact, during the few remaining years of his life, he was never perfectly restored to health. His fortune, which had been ample, was greatly diminished, both by the depreciation of continental currency, and the wanton depredations of the British army. His papers and library, one of the best possessed by any private citizen at that period, were burned ; his domestic animals, (particularly his fine stock of horses,) and almost all his personal property, were plundered or destroyed, and his farm laid waste. Mr. Stockton now found himself the proprietor of little more than his devastated lands, and was compelled to have recourse to the temporary aid of some of his friends, whose losses had been less extensive, for a present supply of such articles of necessity as were essential to relieve the pressure of absolute suffering.

It is not remarkable that these complicated afflictions entirely destroyed his health and spirits, during the declining years of his life. He languished a long time, oppressed with a protracted malady ; the last stages of this, too, were rendered particularly distressing by a malignant cancerous affection, the pain of which was so extreme that he could not enjoy the least repose without the aid of anodyne medicines. He died on the twenty-eighth day of February, 1781, at his residence near Princeton in the county of Somerset, in the fifty-first year of his age. Previous to interment, his remains were conveyed to the college hall, where, in the presence of a numerous and afflicted audience, consisting of the friends, relatives, and fellow citizens of the deceased patriot, and the students of the college, an interesting funeral discourse was delivered by the Rev. Dr. Samuel S. Smith, then vice president of that celebrated seat of science.

Mr. Stockton was at all times a sensible and dignified speaker, remarkable for solidity, perspicuity, and energy. He was a profound and erudite lawyer, and his decisions and opinions while on

the bench, in committees of congress, on admiralty questions, and in the high court of errors of New Jersey, were considered of high authority.

Mr. Stockton, when unadorned by the gorgeous robes of judicial office that prevailed previous to the revolution, was neat but simple in his dress. Before the revolutionary contest, he lived in a state of splendour, frequently adopted by distinguished men under the royal government, which the advantages of a country residence and the possession of affluence rendered easy and agreeable. Every stranger who visited his mansion was cordially welcomed in the genuine style of ancient hospitality, and it was customary in those days for travellers and visitors to call upon men of rank.

He was a man of great coolness and courage. His bodily powers, both in relation to strength and agility, were of a very superior grade, and he was highly accomplished in all the manly exercises peculiar to the period in which he lived: his skill as a horseman and swordsman was particularly great. In person he was tall and commanding, approaching nearly to six feet in height. His manners were dignified, simple though highly polished, and to strangers, at first interview, apparently reserved; but as the acquaintance advanced, they were exceedingly fascinating and accomplished, which appeared particularly conspicuous towards his friends and companions.

His eyes were of a light grey colour, and his physiognomy open, agreeable, and manly. When silent, or uninterested in conversation, there was nothing remarkably attractive in his countenance, but when his mind was excited, his eyes instantly assumed a corresponding brilliancy, his whole appearance became excessively interesting, and every look and action strongly expressive of such emotions as he wished to produce.

His forensic career was attended with unrivalled reputation and success, and he refused to engage in any cause which he knew to be unjust, invariably standing forth in the defence of the helpless and oppressed. To his superior powers of mind and professional learning, he united a flowing and persuasive eloquence, and he was a Christian who was an honour to the church. He was a learned, firm, and upright judge, and an early and decided opposer of the political and oppressive claims of the British parliament.

The first and richest legacy bequeathed by Mr. Stockton in his last testament, illustrates his religious principles, and the importance which he attached to the doctrines of the Christian religion. "As

my children," he observed, "will have frequent occasion of perusing this instrument, and may probably be particularly impressed with the last words of their father, I think it proper here, not only to subscribe to the entire belief of the great and leading doctrines of the Christian religion, such as the being of a God, and the universal defection and depravity of human nature, the divinity of the *Person*, and the completeness of the redemption purchased by the Blessed Saviour; the necessity of the operations of the divine Spirit, of divine faith accompanied with an habitual virtuous life, and the universality of the divine providence; but also, in the bowels of a father's affection, to charge and exhort them to remember that "the fear of God is the beginning of wisdom."

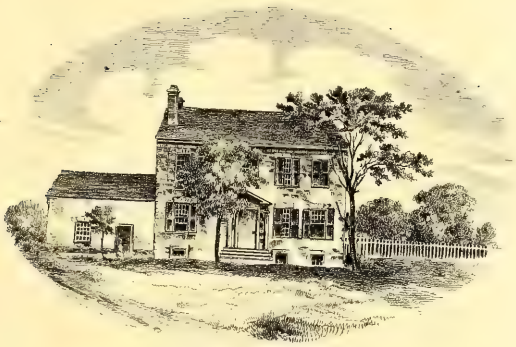
JOHN WITHERSPOON.

It was a distinguished feature in the American revolution that religious feeling was closely connected with political action. The persecutions which compelled our forefathers to seek the unshackled enjoyment of those feelings in the wilderness of the western world, were still fresh in the recollection of their descendants, and they continued, both by public and private acts, to appeal to the Supreme Judge of the world for the rectitude of their intentions, and to place a firm reliance on the protection of Divine Providence.

Among those who united the gospel ministry with the labours of the patriot, was JOHN WITHERSPOON, a man not less distinguished in the church than in the annals of America. This eminent individual was born in the parish of Yester, near Edinburgh, on the fifth of February, 1722. His parentage was respectable, and the family had long possessed a considerable landed estate in the east of Scotland. He was lineally descended from the reverend John Knox, the hero of the reformation in Scotland, whose daughter, Elizabeth, married the celebrated John Welsh, a minister who rivalled his father-in-law in genius, piety and zeal: in this line, Dr. Witherspoon descended from his honourable ancestry.

He was placed, at a very early age, at the public school in Haddington, where he rapidly advanced in learning, and acquired reputation for the native soundness of his judgment, the quickness and clearness of his conception, and the assiduity with which he prosecuted his studies. At the age of fourteen years, he was removed to the University of Edinburgh, where he attained great credit for his diligence in the different branches of learning. He continued in the university until the age of twenty-one years, when he was licensed to preach the gospel.

Immediately on the completion of his studies, he was invited to become assistant minister to his father, in Yester, with the right of succession to the charge; but he preferred an invitation from the parish of Beith in the west of Scotland, where he was ordained, and



RES. OF JOHN WITHERSPOON
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settled, with the universal approbation of his congregation. Interesting and instructive in the pulpit, he faithfully fulfilled all his other parochial duties, and attracted even the fervent attachment of the people. His discourses generally embraced those great and practical truths of the gospel, which most affect and attract the hearts of an audience.

In the beginning of the year 1746, Dr. Witherspoon became involved in a very awkward situation, the particulars of which are highly interesting. The battle of Falkirk was fought on the seventeenth of January, and he, with several other individuals, who were present from curiosity alone, was taken prisoner in the general sweep which the rebels made after the battle, and confined in the castle of Doune. During his imprisonment several of his companions escaped. Dr. Witherspoon prudently declined the dangerous attempt, and patiently awaited his liberation in a safer manner.

After residing a few years in Beith, he was translated to the large and flourishing town of Paisley, justly celebrated for the extent, variety, and fineness of its manufactures. Here he lived in high reputation and great usefulness, enjoying and deserving the affections of his people, until he was called to the presidency of the college of New Jersey.

On the nineteenth of November, 1766, the trustees of the college of New Jersey unanimously elected Dr. Witherspoon to the office of president, and transmitted a letter to Mr. Stockton, a member of the board, then in London, requesting him by personal application to solicit a compliance with the wishes of the trustees. Party views and feelings were, at this period, mingled with the management of the college, and such representations of its state were made to Dr. Witherspoon, as were calculated to induce him to refuse the presidency; and this effect was actually produced, until his misapprehensions were removed by an agent of the board. On the first of October, 1767, a letter from Dr. Witherspoon was communicated to the trustees, in which he declined an acceptance of the presidency of the college.

Urged however by the representations of those friends whose judgment he most respected, and whose friendship he most esteemed, and animated by the hope that he might repay his sacrifices by greater usefulness in the ministry, and in the interests of learning in the new world, he finally resolved to waive every other consideration, to cross the ocean, and to assume the important charge to which he had been called by the concurrent wishes of all the friends

of the college. On the ninth of December, 1767, Mr. Stockton, then in London, informed the board of trustees that the difficulties which had prevented Dr. Witherspoon's acceptance of the presidency were now removed; and that, upon a re-election, he would consider it a duty to enter into that public service. This intelligence was received with peculiar satisfaction, and he was immediately and unanimously re-elected.

Dr. Witherspoon arrived with his family in Princeton, in August, 1768, and on the seventeenth of that month was inaugurated at a special meeting of the board of trustees. He was the sixth president of the college, from its foundation in 1746; his predecessors Dickenson, Burr, Edwards, Davies, and Finley, were deservedly celebrated for their genius, learning, and piety. The fame of his literary character, which had preceded him to this country, brought a great accession of students to the institution. This influence was greatly increased by the circumstance of his being a foreigner, but his reputation was widely extended, and he enjoyed an additional advantage by introducing the more recent improvements in the system of education. When he assumed his office, his prudence, talents, and weight of character not only put an end to party measures in the board of trustees, but greatly contributed to produce the same effect in the councils of the church to which he belonged. He continued to guide the course of education in the institution over which he presided, until the revolutionary war suspended his functions and dispersed the college.

When the academical shades were deserted, Dr. Witherspoon found himself introduced into a new field of labour, and he appeared in a character widely different from any in which he had heretofore been presented to the public. Yet this new scene gave fresh lustre to his fame; and his talents as a legislator portrayed in vivid colours the extent and variety of his mental abilities. Casting aside his foreign prejudices, and embracing with facility the ideas and habits of a new country, and a new state of society, he became an American the moment he landed on our shores. Being opposed in principle to the unjust pretensions of the British government, he adopted the views, and participated in the councils, of the colonists, in the earliest stages of the contest. The citizens of New Jersey, who knew and valued his distinguished talents, soon selected him as one of the most suitable delegates to the convention which formed their republican constitution in 1776. The professors of the law were lost in astonishment when he appeared in this respectable assembly

as profound a civilian as he had before been known to be a philosopher and divine.

After having taken an active and decided part in the revolutionary committees and conventions of the state, he was summoned to the discharge of more important duties. On the twenty-first of June, 1776, the provincial congress of New Jersey, reposing special confidence in his integrity and patriotism, elected him a delegate to the general legislature, with instructions to unite with the delegates from the other colonies, in declaring them to be independent of the mother country, should such a measure be considered necessary for the preservation of their rights and liberties. Dr. Witherspoon took his seat in congress, a few days previous to the fourth of July, and assisted in those important deliberations which resulted in that deed of noble daring, which severed the two countries for ever. When a distinguished member of congress said that we were "not yet ripe for a declaration of independence," Dr. Witherspoon replied, "in my judgment, sir, we are not only ripe, but rotting."

During the sessions of 1776, 1777, 1778, 1779, 1781, and 1782, he continued to represent the state of New Jersey in the general congress, with unyielding zeal and perseverance. It is recorded as an evidence of his devotion to public affairs, that he sometimes attended in his seat, without the least intermission, during the whole period of his annual appointments. Such close attendance was not required by his constituents, nor was it of common occurrence, even in that season of heroism and self-denial. The state governments duly regarded the private affairs, and provided for the relaxation, of the members, by appointing supernumerary congressional delegates, of whom a certain number was empowered to act as their representatives. From New Jersey they were generally five in number, but two formed a full delegation: thus by apportioning their official term, the weight of political labour became comparatively light, and the division afforded to each member a remission from duty during many months in the year. This retirement, however, was entirely optional, and Dr. Witherspoon never permitted any personal considerations to interfere with the course of his official duties. In the month of November, 1782, he finally retired from congress, after a long series of important services. The energy, promptitude, and talents which he displayed in every branch of public business that required his attention, and the political wisdom and experience with which he enriched the national council, attracted the confidence and admiration of his colleagues, and elevated

him, with rapidity, to the first rank among the assembled sages and senators of America. He was always firm in the most gloomy and formidable aspects of public affairs, and always discovered the greatest power and presence of mind in the most embarrassing situations. But the glorious struggle, in which he had participated, was drawing to an honourable conclusion, and sensibly feeling, as a sexagenarian, the advances of age, he resolved to resign his seat in congress; and, had he not deemed his continued exertions an imperative duty, would have gladly retired, in some measure, from the burdens of the college. While he was engaged in serving his country in the character of a civilian, he did not lay aside his ministry. He eagerly embraced every opportunity of preaching, and of discharging the various duties of his station as a gospel minister, which he considered as his highest honour. Nor would he ever consent, as some other clerical members of congress did, to change, in any particular, the dress which distinguished his order.

It is impossible to specify the numerous services in which he was engaged, during his long continuance in congress, but he participated largely in the toils of the arduous and expensive mode of prosecuting the public business, adopted by that body, in the appointment of boards and committees. His talents as a politician had been thoroughly tested, previous to his emigration, as leader of the orthodox party in the church of Scotland; and he was fully prepared to play a much more important part on the theatre of our grand revolution, than by displaying his eloquence and sagacity in the presbyteries, synods, and general assemblies of Scotland. His powers of memory were of vast importance to him in congress. He often remarked that he could precisely repeat a speech, or sermon, written by himself, by reading it over only three times. The management of his memory, and its best application to the interests of the cause, were skilfully conducted. He seldom entered fully into any debate at first, but reserved himself for a concentrated effort: having made himself master of his subject, he methodically composed a speech, committed it to memory, and delivered it in congress. Being a ready speaker, and possessing a remarkable talent for extemporaneous discourse, he prefaced his written orations, by replying to some previous speaker, and dexterously proceeding with his prepared speeches, astonished the whole house by the regular arrangement of his ideas, his command of language, and his precision on subjects of importance.

On the seventh of October, 1776, he was appointed a member

of the secret committee, the duties of which required indefatigable attention, and were of the first importance in the prosecution of the war. In the following month, congress took into consideration the lamentable state of the army, which, dispirited by losses and fatigues, was retreating, almost naked and barefooted, in the cold of November, before a numerous, well appointed, and victorious army, through a desponding country, "much more disposed to secure safety by submission, than to seek it by a manly resistance." A great number of troops had disbanded, the terms of service of many others had nearly expired, and the army was melting away under the influence of this fatal and universal cause. The national legislature, finding the army on the eve of dissolution, and aware of the fearful results which might be produced by a dependence on militia, always a more expensive but less efficacious aid than regular forces, resolved to use every exertion to prevent its farther dismemberment. The commanding general, commissioners, and officers, were conjured to recruit, by every means in their power, the regiments whose terms of service had expired, and Dr. Witherspoon, Mr. Paca, and Mr. Ross, were appointed a committee to repair to head quarters, and co-operate with General Washington in this important business: they were also empowered to inquire into, and redress to the utmost of their power, the grievances of the soldiers.

On the twelfth of December, congress retired to Baltimore, and a general expectation prevailed that no effectual resistance could be made to the advance of the enemy. But the bold and unexpected attacks made at Trenton and Princeton had a most extensive influence on the fate of the war, and created a confidence in the body of the people, that proper exertions on their part would be crowned with ultimate success: they saved Philadelphia for the present winter; they recovered the state of New Jersey; they revived the drooping spirits of America; and they gave a sensible impulse to the recruiting service throughout the United States. When re-assembled at Baltimore, congress in their resolutions exhibited no evidences of confusion or dismay; and the most judicious efforts were made to repair the mischiefs produced by past errors in the military system. They sought to remove the despondency which was seizing and paralyzing the public mind, by an address to the states, in which every argument was suggested which could rouse them to vigorous action. This nervous and eloquent appeal was prepared by a committee, consisting of Dr. Witherspoon, Mr. Richard Henry Lee, and Mr. Adams; who, at the same time, were

charged with framing a recommendation to the several states, to appoint a day of fasting, humiliation, and prayer. In the year 1777, he continued to serve on various important committees, and was particularly active as a member of the board of war.

On the twenty-first of January, 1778, the board of war submitted a report to congress, relative to American prisoners in the power of the enemy. Congress also appointed a committee, consisting of Dr. Witherspoon, Mr. J. B. Smith, Mr. Lovel, and Mr. G. Morris, to prepare a manifesto on the injurious treatment received by the American prisoners. On the thirtieth of the following October, this eloquent protestation was promulgated by the unanimous consent of congress. From the fervid strain of piety in which it is couched, and the solemnity of the appeals to "that Being who is equally the father of All," it would seem to be the work of one of His ministers; and it may, perhaps, be safely assumed to be the production of Dr. Witherspoon, especially as it is well known that the admirable publications of congress, calling their constituents to seasons of fasting and prayer, came from his pen. It concludes in the following manner: "While the shadow of hope remained that our enemies could be taught by our example, to respect those laws which are held sacred among civilized nations, and to comply with the dictates of a religion which they pretend, in common with us, to believe and revere, they have been left to the influence of that religion and that example. But since their incorrigible dispositions cannot be touched by kindness and compassion, it becomes our duty, by other means, to vindicate the rights of humanity—We, therefore, the congress of the United States of America, do solemnly declare and proclaim, that if our enemies presume to execute their threats, or persist in their present career of barbarity, we will take such exemplary vengeance as shall deter others from a like conduct. We appeal to that God who searcheth the hearts of men, for the rectitude of our intentions; and in his holy presence declare, that as we are not moved by any light and hasty suggestions of anger or revenge, so, through every possible change of fortune, we will adhere to this our determination."

On the twenty-seventh of August, 1778, Dr. Witherspoon was appointed, together with Robert Morris, Elbridge Gerry, Richard Henry Lee, and Gouverneur Morris, to consider the state of the money and finances of the United States, and report thereon, from time to time; and on the twenty-fifth of November, he submitted to congress, powers to the delegates of New Jersey to ratify the arti-

cles of confederation and perpetual union. On the subsequent day, he signed that feeble instrument, which, however, was not rendered complete until the accession of the state of Maryland, on the first of March, 1781. In the year 1779, he particularly distinguished himself as a member of the committee appointed to devise means for procuring supplies for the army, in which duty he was ably assisted by the financial knowledge of Gouverneur Morris, and the economical principles of Roger Sherman.

After the first, or second, emission, Dr. Witherspoon resolutely opposed (and even hazarded his popularity by the strenuousness of his opposition) all further issues of the paper currency which inflicted so deep a wound on public credit, and occasioned so much private distress. To liquidate the expenses of the war, immense sums were emitted in bills of credit, and the same method was adopted by the respective states to provide for their internal wants. At length this paper currency, unsupported by solid funds, and resting solely on public credit, was multiplied beyond the rules of sound policy, and having exceeded the useful demand for it as a medium of commerce, it became proportionably reduced. The arts of open and secret enemies, the disgraceful avidity of professed friends, and the scarcity of foreign commodities, were assigned by congress as additional causes of the depreciation of the currency, which involved consequences equally obvious and alarming. On the twenty-third of June, 1775, the first emission of two millions of dollars took place; and on the twenty-ninth of November, 1779, the date of the final issue, the aggregate of the bills, then in circulation, amounted to two hundred millions of dollars: of this sum 63,500, 300 dollars were emitted in the year 1778, and 140,052,480 dollars, in 1779. This vast quantity of bills had been unavoidably issued at a time when no regular civil government existed, possessing sufficient energy to enforce the collection of taxes, or to provide funds for their redemption.

All the talents and influence of Dr. Witherspoon were opposed to this destructive system of emissions, in every stage of its progress; and he denounced it as precisely adapted, if any thing could do it, to defeat the revolution. Instead of the issues of unfunded paper, beyond a certain quantum, he urged the propriety of making loans, and establishing funds for the payment of the interest; and deeply has America lamented that this policy had not been pursued. He subsequently, at the instance of some of the very gentlemen who opposed him in congress, published his ideas on the nature, value,

and uses of money, in one of the most clear and judicious essays that had, perhaps, ever been written on the subject.

The argumentative eloquence of Dr. Witherspoon, and his few associates was unable to check those measures of congress in relation to the finances, tending to destroy public credit, which, although, unavoidable in principle, he believed to be susceptible of salutary modification.

Dr. Witherspoon warmly maintained the absolute necessity of union, to impart vigour and success to the measures of government ; and he strongly combated the opinion expressed in congress, that a lasting confederacy among the states, for their future security and improvement, was impracticable. He declared that such sentiments were calculated greatly to derange the minds of the people, and weaken their efforts in defence of the country. "I confess," said he, "it would to me greatly diminish the glory and importance of the struggle, whether considered as for the rights of mankind in general, or for the prosperity and happiness of this continent in future times. It would quite depreciate the object of hope, as well as place it at a greater distance. For what would it signify to risk our possessions, and shed our blood, to set ourselves free from the encroachments and oppression of Great Britain, with a certainty, as soon as peace was settled with them, of a more lasting war,—a more unnatural, more bloody, and much more hopeless war, among the colonies themselves? Some of us consider ourselves as acting for posterity at present, having little expectation of living to see all things fully settled, and the good consequences of liberty taking effect. But how much more uncertain the hope of seeing the eternal contests of the colonies settled upon a lasting and equitable footing?"—"If, at present, when the danger is yet imminent, when it is so far from being over, that it is but coming to its height, we shall find it impossible to agree upon the terms of this confederacy, what madness is it to suppose that there ever will be a time, or that circumstances will so change as to make it even probable, that it will be done at an after season? Will not the very same difficulties that are in our way, be in the way of those who shall come after us? Is it possible that they should be ignorant of them, or inattentive to them? Will they not have the same jealousies of each other, the same attachment to local prejudices, and particular interests? So certain is this, that I look upon it as on the repentance of a sinner ; every day's delay, though it adds to the necessity, yet augments the difficulty, and takes from the inclination."

A sentiment expressed in this debate, that it was to be expected from the nature of men, that a time must come when a confederacy would be dissolved and broken to pieces, and which seemed to create an indifference as to the success of the measure, produced the following burst of eloquence: "I am none of those who either deny or conceal the depravity of human nature, till it is purified by the light of truth, and renewed by the spirit of the living God. Yet I apprehend there is no force in that reasoning at all. Shall we establish nothing good because we know it cannot be eternal? Shall we live without government because every constitution has its old age and its period? Because we know that we shall die, shall we take no pains to preserve, or lengthen out, life? Far from it Sir:—it only requires the more watchful attention to settle the government on the best principles, and in the wisest manner, that it may last as long as the nature of things will admit." Dr. Witherspoon concluded his eloquent arguments in favour of a well-planned confederation, in the following terms: "For all these reasons, Sir, I humbly apprehend that every argument from honour, interest, safety, and necessity, conspire in pressing us to a confederacy; and if it be seriously attempted, I hope, by the blessing of God upon our endeavours, it will be happily accomplished."

But although he supported the necessity of a well-organized system of union, he opposed and lamented, in the subsequent formation of the original confederation, the jealousy and ambition of the individual states, which were unwilling to intrust the general government with adequate powers for the common interest. He passed judgment of inefficacy upon it, at the moment of its birth; but he complained and remonstrated in vain. The ratification of this instrument was obtained with much difficulty. The various amendments proposed by the states, in some instances conflicting with each other, at length successively yielded to the opinion that a federal compact would be of great importance in the prosecution of the war. On the first of March, 1781, this interesting compact, to the great joy of America, was rendered complete. But it was not productive of all the benefits which its sanguine advocates had expected, and the predictions of Dr. Witherspoon were speedily and fearfully fulfilled. On the third day of February, a short time previous to the completion of the confederacy, he made a fresh attempt to enlarge the powers of congress, and establish a permanent fund for discharging, in part, the principal and interest of the national debt. He urged that it was indispensably necessary that

congress should be vested with the right of superintending the commercial regulations of every state, so that none might take place inimical to the common interest: and that they should be vested with the exclusive right of laying duties on all imported articles; no restriction to be valid, and no such duty to be laid, without the consent of nine states. On the question to agree to this motion, with certain restrictions, it was decided in the negative; and a resolution was substituted, and passed on the same day, *recommending* to the several states, as indispensably necessary, to vest a power in congress to levy a duty of five per cent. ad valorem on certain imported articles, for the use of the United States. This recommendation was never complied with. Had the policy proposed by Dr. Witherspoon been pursued, a large share of the difficulties which ensued would have been evaded. But a disposition in the members of congress, growing inevitably out of the organization of the government, to consult the will of the states from which they were delegated, and perhaps to prefer their accommodation to any other object, however essential to the whole, had discovered itself at an early period, and had gained strength with time. Hence the nation was thrown at the feet of the states, where the vital principle of power, the right to levy taxes, was exclusively placed; and it was scarcely possible to advance a single step, but under the guidance of the respective states.

Dr. Witherspoon had many able coadjutors to support his particular and incessant remonstrances against the tardy, insufficient, and faithless manner in providing for the public exigencies and debts, by requisitions on the states. He insisted on the propriety and necessity of the government of the union holding in its own hands the entire regulation of commerce, and the revenues that might be derived from that source: these, he contended, would be adequate to all the wants of the United States in a season of peace. Overruled, however, at that time, in these, and in other objects of importance, he had the satisfaction of living to see America revert, in almost every instance, to his original ideas; ideas founded on a sound and penetrating judgment, and matured by deep reflection, and an extensive observation of men and things. To the judicious patriots throughout America, the necessity of giving greater powers to the federal head became every day more apparent; as well as the impracticability of continuing the war much longer, if the resources of the country were entirely controlled by thirteen independent sovereignties. But the efforts of enlightened individuals were too weak

to correct that fatal disposition of power which had been made in the first instance, and the impolicy of which was now in vain manifested by experience. Dr. Witherspoon, a leader of the party opposed to the predominant state influence, might well have exclaimed in the words of Washington—"I see one head gradually changing into thirteen. I see one army branching into thirteen; and, instead of looking up to congress as the supreme controlling power of the United States, considering themselves as dependent on their respective states. In a word, I see the power of congress declining too fast for the consequence and respect which are due to them as the great representative body of America, and am fearful of the consequences."

On the voluntary retirement of Dr. Witherspoon from congress at the close of the year 1779, he determined to give particular attention to the revival of the institution over which he presided. The immediate care of recommencing the course of instruction was committed to the charge of his son-in-law, the Rev. Dr. Samuel Smith, a man of distinguished genius and learning. In the month of December, 1779, he resigned his house on the college grounds to Vite President Smith, and retired to his country seat, situated about one mile from, and in full sight of, Princeton: but his name continued to add celebrity to the institution, and it rapidly regained its former reputation. Retirement was a happiness towards which he had long looked with pleasing anticipations. In announcing his removal to Tusculum, his country house, he makes the following remarks in a letter to a friend: "This I have had in view for some years, and intend to spend the remainder of my life, if possible, *in otio cum dignitate*. You know I was always fond of being a scientific farmer. That disposition has not lost, but gathered strength, since my being in America. In this respect, I received a dreadful stroke indeed, from the English, when they were here; they having seized and mostly destroyed my whole stock, and committed such ravages that we are not yet fully recovered from it."

But he was not long permitted to enjoy the peaceful happiness of his classical retreat. The voice of his countrymen again summoned him to the national council in the year 1781, and when he finally retired, at the close of 1782, it was to resume only for a short season the tranquil pleasures of Tusculum. In the year 1783, he was induced, contrary to his own judgment, to cross the ocean to endeavour to promote the benefit of the college. The idea of obtaining funds in its behalf, in Great Britain, when the angry sensations excited

by a long war, and the recent dismemberment of the empire, had not yet subsided, was more than visionary. Overruled, however, by the persuasion of his friends, and influenced by his warm attachment to the institution, he embarked in December, 1783; and in the sixtieth year of his age braved the dangers and privations of the sea, to advance the progress of learning in America. The result of his mission accorded with his expectations. Little more than the amount of his necessary expenses was obtained; but notwithstanding this want of success, his enterprise and zeal are not less deserving of commendation. He returned to this country previous to the commencement at Nassau Hall, in September, 1784, having been absent about nine months. Finding nothing to obstruct his entering into that retirement, which was now become more dear to him, he withdrew, in a great measure, except on important occasions, from the exercise of those public functions that were not immediately connected with the duties of his office, as president of the college, or with his character, as a minister of the gospel.

Notwithstanding his high talents and political character, many believed that the principal merit of Dr. Witherspoon appeared in the pulpit. He was, in many respects, one of the best models by which a young clergyman could form himself for usefulness and celebrity. It was a singular benefit to the whole college, but especially to those who had the profession of the ministry in view, to have such an example constantly before them. Religion, from the manner in which he treated it, always commanded the respect of those who heard him, even when it was not able to engage their hearts. Dr. Witherspoon was a prominent member of the councils and courts of the church, and took an active part in the ecclesiastical politics of his native country. In the church judicatories of America, he was always upright in his views, firm in his principles, and ready to seize, at once, the right point of view on every question. Disentangling, with facility, the most embarrassed subjects, he was clear and conclusive in his reasoning, and, from a peculiar soundness of judgment, and a habit of business, skilful in conducting every discussion to the most speedy and decisive termination. In fine, the church assuredly lost in him one of its greatest lights; and if the term may be used in ecclesiastical affairs, one of its greatest politicians.

As a writer, his style is simple and comprehensive; his remarks judicious, and often refined; his information accurate and extensive;

his matter always weighty and important; his method condensed, yet lucid, and well arranged. Simplicity, perspicuity, precision, comprehension of thought, and knowledge of the world, and of the human heart, prevailed throughout the whole of his extensive writings. He is said to have remarked, in relation to them, that "if they were remarkable for any thing, it must be for his attention to general principles, and not to ramifying his subject." His works have not only extended his reputation through Great Britain and America, but he is deservedly held in high repute among almost all the protestant countries of Europe.

His sermon entitled "The Dominion of Providence over the Passions of Men," preached at Princeton on the seventeenth of May, 1776; his treatises on "Justification by free grace, through Jesus Christ," and on "The nature and necessity of Regeneration;" and his remarks on "The importance of truth in Religion," or "The connexion that subsists between sound principles and a holy practice;" are not surpassed by any theological writings in the English language. His farewell sermon, delivered at Paisley in May, 1776, and his "Lectures on Divinity," bear the same impress of a gigantic mind. The "Essay on the nature, value, and uses of money," already adverted to, comprised the substance of the speeches he had delivered in congress on this important and intricate question; and is, without dispute, the best that ever appeared in this country, and was eminently successful in the development of that intricate subject. "The Druid," a series of periodical essays, published by him in the year 1781, is particularly useful and interesting: the principal themes of this miscellany are literature and morals, arts and industry; the philosophy of human nature and of human life.

His "Lectures on Moral Philosophy," notwithstanding they assume the form of regular discourses, were in fact considered by him as little more than a syllabus or compendium, on which he might enlarge before a class at the time of recitation: thus, he once compelled a printer, who, without his knowledge, had undertaken to publish them, to desist from the design. Not a few, however, whose eminence in literature and distinction in society, entitle their opinions to great consideration, have maintained that these lectures, with all their imperfections, contain one of the best and most perspicuous exhibitions of the radical principles of the science on which they treat, that has ever been made. The surprising resemblance which exists between his "Lectures on Eloquence," and those of Dr. Blair, both pursuing the same track, is a striking example of the effect of

early instruction on the habits of thought in later life. These eminent men were class-mates under the same teacher, but no communications on the subject had ever been exchanged; yet the radical ideas, but not the style, are remarkably the same.

Dr. Witherspoon was a frequent contributor to the public papers, particularly on political-subjects. His "Thoughts on American Liberty," written at the dawn of the revolution, depict in striking colours the depth of his political foresight, by the recommendation of a series of important measures, almost all of which were subsequently adopted, at various periods. In the essay "On conducting the American controversy," his ideas are not less lucid than sagacious: and his remarks "On the Contest between Great Britain and America" tend to establish the fact, that the people of America, so far from being seditious and factious, entertained a strong attachment to the mother country, and attached high feelings of pride to their descent; so much so, indeed, than when an American spoke of going to England, he always called it going home.

Dr. Witherspoon was not a man of the most various and extensive learning. His intellectual treasures consisted of a mass of information well selected and thoroughly digested; and scarcely any individual of the age had a more vigorous mind, or sound understanding. He was well versed in the dead languages, being an accurate Latin scholar, and capable of speaking and reading that language with facility. He was a good proficient in Greek, presiding over the Greek recitations in Longinus, and the higher classics; and he taught Hebrew to all those in the college who wished to study it. He also read and spoke the French language with accuracy and fluency. Although not a mathematician in detail, he had the highest idea of the usefulness and necessity of mathematical knowledge. He banished systems of logic altogether from the college, observing that Euclid's elements were the best system of logic ever written. He was not versed in the details of Natural Philosophy and the Natural Sciences, of which he had learned only the general principles in the usual course of university education. Although not an indiscriminate and enormous reader, he had read, and thoroughly digested, the best authors in every department of useful knowledge.

The eloquence of Dr. Witherspoon was simple and grave, but, at the same time, as animated as his constitutional malady would permit. It was a kind of Demosthenian eloquence, which made the blood "shiver along the arteries:" he could not speak in a loud

tone of voice, but his articulation was such, that it was distinctly audible in the largest church. His discourses commanded universal attention, and his manner was altogether irresistible: he never indulged in florid flights of fancy, but modelled his oratory according to the plain and comprehensive style of Swift.

Possessing remarkable frankness of character, Dr. Witherspoon, in his moments of relaxation from the great and serious affairs of life, was an amusing and instructive companion. His rich fund of anecdote was improved by an abundant share of wit; but he was far from affecting the character of the latter, and used it with the utmost discretion. The following anecdote presents a specimen of his good-humoured wit. When Burgoyne's army was captured at Saratoga, General Gates despatched one of his aids to congress to carry the intelligence.* The officer, after being delayed by the amusements which offered themselves on his way, at length arrived at Philadelphia, but the report of the victory had reached there several days before. Congress, according to custom, proceeded to give the messenger some mark of their esteem. It was proposed to present him with an elegant sword; but Dr. Witherspoon rose, and begged leave to move, that instead of a sword, they should present him with a *pair of golden spurs*.

Dr. Witherspoon was an affectionate husband, a tender parent, a kind master, and a cordial friend. He was twice married. He was united to his first wife, named Montgomery, in Scotland, at an early age: she was an excellent woman, without much education, but eminent for her piety and benevolence. His children, at the period of his emigration to America, consisted of three sons and two daughters; James, the eldest son, held the rank of major in the

* The bearer of the despatches was lieutenant-colonel, afterwards Major-General Wilkinson. Besides the amusements on the way, there were probably other causes of detention operating upon Colonel Wilkinson. Several of the officers inimical to Washington as commander-in-chief, were at that time quartered at Reading, Pennsylvania, through which place he passed, and was one of the coterie at Lord Stirling's on the twenty-fifth October, when General Conway's letter to General Gates, in which he said, "Heaven has been determined to save your country, or a weak general and bad counsellors would have destroyed it," was read, and the merits and demerits of General Washington in the battle of Brandywine "severely stric-tured." On the third of November he delivered his despatches, and the same day the new board of war was appointed, consisting entirely of officers opposed to General Washington as commander-in-chief, with General Gates for president, and Colonel Wilkinson secretary. On the sixth, Wilkinson was brevetted a brigadier-general. These facts go further towards accounting for the delay in the messenger, than the amusements by the way-side.

revolutionary army, and was killed at the battle of Germantown. John possessed good talents and attainments, and was bred a physician. David applied himself to the study of the law, and settled in North Carolina, where he became a respectable practitioner. In the year 1780, he acted as private secretary to the president of congress. Ann, the oldest daughter, was married to the Rev. Dr. Samuel S. Smith, who succeeded Dr. Witherspoon as president of the college; and Frances entered into matrimony with Dr. David Ramsay, the celebrated historian. His second marriage excited much noise and attention, he being at that time seventy, and his wife only twenty-three, years of age. Excepting Washington, he is said to have possessed more of what is called *presence*, than almost any other man: he was six feet in height, finely proportioned, and remarkably dignified in his appearance. It was difficult to trifle in his presence; a circumstance which proved highly useful in the government of the college, by abashing the impudent and presuming. He had a pretty strong Scottish accent, which, however, continued to decrease till the day of his death.

Bodily infirmities began, at length, to fall heavily upon him. For more than two years previous to his death, he was afflicted with the loss of sight: which contributed to hasten the progress of his other disorders. He bore his sufferings with exemplary patience, and even cheerfulness; nor would his active mind, and his unabated desire of usefulness, permit him, even in this situation, to desist from his ministry, and his duties in the college, so far as his health and strength would admit. During his blindness, he was frequently led into the pulpit, both at home and abroad; and always acquitted himself with his usual accuracy, and not unfrequently with more than his usual solemnity and animation.

On the fifteenth of November, 1794, in the seventy-third year of his age, he retired to his eternal rest, full of honours, and full of days, there to receive the plaudit of his Lord, "well done, thou good and faithful servant, thou hast been faithful over a few things, be thou ruler over many things; enter thou into the joy of thy Lord." His remains were interred at Princeton, and a Latin epitaph, comme norating his virtues, and the prominent incidents of his life, is inscribed upon his tomb.



RES. OF FRANCES HOPKINSON
Princeton, N. J.

FRANCIS HOPKINSON.

FRANCIS HOPKINSON was born in Philadelphia, in the year 1737. He was the son of Thomas Hopkinson, an English gentleman of respectable family and character, who emigrating from Great Britain to her colonies in North America, took up his permanent residence in that city. His career was bright, but unfortunately short; for he was cut off in the prime of life, leaving the society of which he had for a considerable time been the delight, to lament one of its most precious ornaments, and a beautiful and accomplished wife a solitary widow, embarrassed with the care of providing for, and the all-important duty of educating a large family, upon a comparatively limited income. How she acquitted herself of that awful responsibility, may be inferred from the character afterwards sustained by her offspring, and from the exemplary moral and religious sense which has been observed essentially to pervade the writings and intellectual effusions of her descendants, and particularly of the subject now before us, who was only fourteen years of age at the time of his father's death. To the aid of the boy's genius, and of the talents derived from his father, this exemplary matron brought every assistance that could be derived from her admirable precepts, enforced by her own excellent example; and relinquishing for this most sacred purpose, every enjoyment and every pursuit which was not recommended to her judgment by its direct tendency to the accomplishment of this, her most delightful duty, she never suffered her attention to relax till, with his manners softened by the purest moral habits, and his virtues fenced in from every attack by strict religious instruction, she transferred his literary education to the college of Philadelphia, afterwards the "University of Pennsylvania," in the first class of which he graduated, and from which he was removed to the study of the law, under an able professor of that science.

His attainments as a lawyer were great, and could have only been acquired by studious application to the volumes of jurispru-

dence; but this did not prevent him from warm devotion to those lighter accomplishments, which a natural taste, peculiarly adapted to such things, induced him to cultivate; and while he stored his mind with the more grave and important knowledge necessary for advancing in his profession, he by no means neglected those embellishments which were better calculated, not only to gratify his own fancy, but to captivate the general circle of society. His talents ample, quick, and versatile, and his powers readily adapted to the acquisition and digestion of any and every art and science, grasped with avidity whatever was presented to them, and made them their own; for it appears from the accounts given of him by Dr. Benjamin Rush, one of the most sagacious and discriminating of his contemporaries, who for the greater part of his life was personally acquainted with him, that "he excelled in music and poetry, and had some knowledge in painting. These arts, however," he continues, "did not monopolize all the powers of his mind; he was well skilled in many practical and useful sciences, particularly mathematics and natural philosophy, and he had a general acquaintance with the principles of anatomy, chemistry, and natural history. But his forte was humour and satire, in both of which he was not surpassed by Lucian, Swift, or Rabelais. These extraordinary powers were consecrated to the advancement of the interests of patriotism, virtue, and science."

In the year 1766, Mr. Hopkinson determined to pay a visit to the land of his forefathers, and before his departure from his native city, received a tribute to his excellence and worth, not often bestowed, and singularly honourable to him. We have already mentioned that his education was completed in the college of Philadelphia; and it is among the records of a public commencement of that institution, held on the twentieth of May, 1766, that the board of trustees, comprising the governor, chief justice, and most distinguished men of the province, passed the following resolution. "After the business of the commencement was finished, it was resolved, that as Francis Hopkinson, (who was the first scholar entered in this seminary at its opening, and likewise, one of the first who received a degree in it,) was about to embark for England, and has always done honour to the place of his education by his abilities and good morals, as well as rendered it many substantial services on all public occasions, the thanks of this institution ought to be delivered to him in the most affectionate and respectful manner; and Mr. Stedman and the provost are desired to communicate the

same to Mr. Hopkinson accordingly, and wish him a safe and prosperous voyage."

He remained in England upwards of two years, dividing his time between his relations, alternately in the vast metropolis of London, and the delightful vales of Worcestershire, and on his return to America, about the year 1768, married Miss Ann Borden, of Bordentown, in the state of New Jersey. He was not, however, permitted long to pursue undisturbed, either the professional occupations of his private life, or the public duties of the offices which had been conferred on him; both were invaded by the unjustifiable encroachments of the British government; and both he was obliged to sacrifice in the cause of his country. In the year 1776, he was chosen by the state of New Jersey as one of her representatives in congress; in this capacity he voted for and subscribed the ever memorable Declaration of Independence.

Nor was it in his own state only, that this esteem and confidence in him existed; the state of Pennsylvania, of which indeed he was a native, but where he had in a great degree ceased to reside, sought his public services, even whilst he held his appointment under New Jersey. Mr. Ross, the judge of the admiralty, having retired from office, the president of Pennsylvania wrote to Mr. Hopkinson on the fourteenth of July, 1779, requesting permission to nominate him as his successor; receiving his consent, the appointment was unanimously made two days after, and he held it with high credit to himself and benefit to the country, for ten years, until the organization of the federal government.

Upon this event, of course the office which Mr. Hopkinson held, expired; but General Washington had scarcely entered upon his duties as president of the United States, under the new constitution, when he addressed him a letter not only honourable to him, but in itself one of the noblest testimonies perhaps ever given to the public, of the perfect purity and noble motives which governed every official action of that distinguished man. It has never yet been published, and is in the following terms:—

"Sir,—I have the pleasure to enclose to you a commission as judge of the United States for the district of Pennsylvania, to which office I have nominated, and with the advice and consent of the senate have appointed you. In my nomination of persons to fill offices in the judicial department, I have been guided by the importance of the object. Considering it as of the first magnitude, and as the pillar upon which our political fabric must rest, I have endea-

voured to bring into the high offices of its administration such characters as will give stability and dignity to our national government; and I persuade myself they will discover a due desire to promote the happiness of our country, by a ready acceptance of their several appointments. The laws which have passed relative to your office accompany the commission."

While Mr. Hopkinson held his judicial offices, he avoided, properly, all minute interference in party or occasional politics, though he was always active and useful when he deemed his services necessary to the public good. His favourite instrument, on such occasions, had always been the lively vein of satire. As early as the year 1774, he had commenced this species of hostility on the common enemy, the British, by an ingenious production, which he called "A pretty story." In this, by a pleasant allegory, he represented some of the many grievances the colonies laboured under, previous to the revolution, and which shortly after occasioned their disunion from the empire. As the piece was precisely adapted to the feelings of the times, and contained statements of incontrovertible facts, conveyed in a lively and humorous form, it was sought after with avidity, and read with approbation by every class of the community. His letters to James Rivington, printer of the Royal Gazette, at New York; his epistle to Lord Howe; his two Letters by a Tory; his translation of a Letter written by a Foreigner on his Travels; his Political Catechism, and several other pieces, were written during this period, and had a great tendency to the completion of this object. The last of these is called "The New Roof," a pleasing little allegory, containing, in substance, the principal arguments used in the convention of Pennsylvania, assembled in 1778, to consider the frame of government for the United States, drawn up by the general convention of the United States, and by them recommended to the people at large. It is upon this piece Dr. Rush observed, that it "must last as long as the citizens of the United States continue to admire, and to be happy under the present national government."

He wrote several other essays, arising in political dissensions, but which, being founded on no important transaction of the state, and turning chiefly upon personal ridicule, have lost much of their interest: one, however, deserves to be particularized, being distinguished for the severe pungency of its satire, and bears the title of "A Specimen of a modern Lawsuit:" this is a piece of admirable humour; the objects of his ridicule could not be mistaken; the man-

ners of the judges, and the learned counsel engaged to argue the important cause between Laurence Landlord and Timothy Tenant, are sketched to nature; and the dramatic form in which the case is reported, conveys us immediately to a court of justice, and makes the humour irresistible to any person acquainted with legal proceedings.

Among the published writings of Mr. Hopkinson, is the *Essay on White-washing*. This has been frequently reprinted in different periodical journals, not only in America, but in England, and the humour still remains as excellent as it was at the time of its first publication. How it came to be inserted in Dr. Franklin's works, we have yet to learn.

Of his poetry, the greatest praise which can justly be bestowed upon it seems to be, that the versification is easy, but that the subjects upon which it was employed, being generally occasional, it cannot afford much interest beyond the immediate circle acquainted with the facts. The humorous ballad called the *Battle of the Kegs*, was very popular at the time of its publication, and still retains its station among poems of this description; Mr. Hopkinson, indeed, is better known by this, than all his other poems; his *L'Allegro* and *Il Penseroso* too are imitations so graphic and agreeable, that they might be quoted throughout with satisfaction and confidence.

The various labours of Mr. Hopkinson, both as a public servant, and a lively and useful man of letters, had been rewarded with many plentiful harvests of well-earned fame; but his death was at last premature to himself, his friends and his country. Though subject for some time to frequent attacks of gout in his head, he had latterly enjoyed a considerable respite from them. On Sunday evening, however, being the eighth of May, 1791, he was somewhat indisposed, and passed a restless night after he went to bed. He rose the next morning as early as usual, and breakfasted with the family. At seven o'clock he was seized with an apoplectic fit, which in two hours put a period to his existence, in the fifty-third year of his age.

His person was a little below the common size. His features were small, but extremely animated. His speech was quick, and all his motions seemed to partake of the unceasing activity and versatility of the powers of his mind. His disposition and demeanour were marked by benignity and kindness, and the following anecdote will be deemed rather apposite and affecting than trivial, since it displays them in so amiable a light. He was accustomed to cherish an acquaintance with a little mouse, which would come from its

hiding place and sit by him at his meals, in order to receive the crumbs with which its boldness was plentifully rewarded. His pigeons also became so much attached to him, from his constant attention to them, that, when he walked in the yard, they would alight on his person, and contend for a place, crowding upon his head, shoulders, arms, and indeed wherever they could rest.

He was always distinguished as a man of great taste, fond of science, when he had leisure to devote himself to it, and acute and clear in his professional exertions. His skill in music was considerable, and the airs which he composed for his own songs rendered them doubly popular. At a time when the rudeness and poverty of the country permitted few to devote themselves to the cultivation of the arts, Mr. Hopkinson gave to them all the attention which it was possible to bestow.

Mr. Hopkinson possessed uncommon talents for pleasing in company. His wit was not of that coarse kind which was calculated to "set the table in a roar." It was mild and elegant, and infused cheerfulness, and a species of delicate joy, rather than mirth, into the hearts of all who heard it. His empire over the attention and passions of his company was not purchased at the expense of innocence. They who have passed many delightful hours in his society, declare that he was never once heard to use a profane expression, nor utter a word that would have made a lady blush, or have clouded her countenance for a moment with a look of disapprobation. It is this species of wit alone that indicates a rich and powerful imagination, while that which is tinctured with profanity, or indelicacy, argues poverty of genius, inasmuch as they have both been considered, very properly, as the cheapest products of the mind.

Mr. Hopkinson left behind him at his death, a widow, and five children, two sons and three daughters. Of these the eldest, the late Judge Hopkinson, is well known as the distinguished successor of his father's talents and honours, uniting the same quickness and brilliancy of genius, the same taste and fondness for the arts, with superior success as an advocate at the bar, an orator in the public councils of the nation, and a judge upon the bench which had been dignified by the virtues of his father.



THE CHURCH WHICH JOHN HART BUILT

— 1791 —



JOHN HART.

IF those who administered the British government in the early part of the reign of George the Third had been well informed of the real character of that party in the colonies, which opposed their pretensions to the exercise of unlimited power, they would have seen the impracticability of their scheme, if they had not been convinced of its injustice.

They were not aware that prudent and unambitious men—established land-holders, deeply interested in the preservation of tranquillity—had rallied round that standard of resistance which they supposed to be supported only by needy adventurers, or noisy demagogues, to whom any change might bring an improvement of condition.

One of the patriots that voluntarily incurred the greatest degree of suffering, without the possibility of any individual gain, was JOHN HART, a member of that congress which issued the memorable Declaration of Independence.

He was the son of Edward Hart, of Hopewell township and Hunterdon county in New Jersey, from whom he inherited a considerable patrimonial estate, and a spirit that would have been worthy of the best days of ancient Rome.

During the war with France, Edward Hart was one of those brave and loyal colonists who generously lent their aid to the military operations of England:—aid that was gladly received and emphatically acknowledged, but never recompensed, by the royal government. He exerted himself in the cause of the mother country, so far as to raise a corps of volunteers, called the Jersey Blues; a name that they first bore, but which has become a favourite military designation since that period. With this corps he marched into Canada, and arrived before Quebec in time to participate in the victory which closed the mortal career of General Wolfe.

John Hart, the son, did not join in these military expeditions, but was quietly cultivating a farm of four hundred acres, which he had

purchased. He had married a lady of respectable connexions and great amiability of character, named Deborah Scudder, and was surrounded by a numerous family of sons and daughters. In the enjoyment, therefore, of domestic happiness, and engrossed by the cares of his farm, he felt no aspiration for martial fame, and was not particularly excited by the quarrel between France and England, in which the colonies took, generally, an active part.

He served, however, in the colonial assembly, and for twenty years assisted in the local legislation which was exercised for the improvement of the country, in the laying out of new roads, the erection of bridges, the founding of seminaries of education, and the provisions for administering justice. When the series of aggressions upon the rights of the colonies was commenced by the passage of the stamp act in the year 1765, he assisted in the selection of delegates appointed to represent New Jersey in the congress held at New York, in the month of October of that year; and he was one of those who at once perceived the true nature of the dispute between the ministry of King George on the one side, and the people of the colonies on the other; he saw clearly that the question at issue between them involved nothing less than absolute slavery to the colonies, if they should submit to the novel pretensions of the British government.

The even tenor of his life was interrupted by few incidents that would not appear trivial in narration. His farm grew yearly better in value and improvement, his stock increased, and his family was augmented by a biennial addition of a son or daughter, until he was surrounded by thirteen children. In their education, together with the care of his farm, the exercise of friendly acts of assistance to his neighbours, and in serving brief tours of duty as a member of the colonial legislature, he found occupation of that enviable kind which, at once useful and tranquil, brings old age with no wrinkles but those which time has traced, and preserves for advanced years the cheerfulness of youth.

A course of life so peaceful and happy is not often destined to remain free from interruption. While everything was proceeding in its regular course in the domestic circle of "honest John Hart," great events were occurring on the other side of the Atlantic, which were to reach, with a malignant influence, even to the calm retirement of the New Jersey farmer.

In 1767, Charles Townshend being elevated, unfortunately for the British empire, to the place of chancellor of the exchequer

brought forward his plan of revenue, including duties on glass, paper, pasteboard, painter's colours, and tea, imported into the colonies.

The generous confidence in which the colonists had reposed since the repeal of the stamp act, was now dispelled; they had trusted that the hateful project of imposing a badge of slavery upon them would not be revived, but the adoption by parliament of this new imposition, excited the most serious alarm and the gloomiest apprehensions.

John Hart, in the midst of his quiet comforts, appreciated the extent of the evil that impended. Valuing all the blessings which were his own, he felt that they might all be rendered valueless if he were to possess them but as the slave of a despotic master. The amount of tax that he would pay was not worth a thought; he had little occasion for English paper, pasteboard, glass, or paint; and tea was a luxury that hardly found its way to the tables of such plain country families as his.

But the sense of personal security and unalienable rights, the sturdy pride of freedom, which every Englishman of that day, and every inhabitant of the British colonies was accustomed to cherish as his birthright—these were indispensable to him. Without these, all the advantages he possessed were of no avail—his riches might increase, his friends might multiply, his honours might thicken upon him, his children might be all that his parental wishes could suggest—still if he might be taxed, to the value of a straw, by a parliament in which he had no share of actual or virtual representation, he could be no more than a slave. It was a noble sentiment which actuated such men to join in the plans of resistance—a sentiment alloyed by no hope of personal aggrandizement, excited by no restlessness of temper, fomented by no artful demagogues—but pure and disinterested, founded on a sincere belief of rights invaded, and leading to the most unbounded sacrifices.

The congress of 1774 was called, and assembled. Of this body the members were variously constituted. Hart was elected in July, by a conference of committees from different parts of the colony, and was a fit representative of the moderation, disinterestedness and firmness that then characterized the people who elected him.

Of that august and venerable body nothing can be said in commendation, that would be beyond the truth. To that body will future statesmen look, and learn what it is to be a patriot. There was no selfish intrigue for power, no aim at personal distinction, no factious striving for individual honours. Of the members of that

congress it may emphatically be asserted, as was said of the Romans in their most virtuous age, "with them the republic was all in all; for that alone they consulted; the only faction they formed was against the common enemy; their minds, their bodies were exerted sincerely and greatly and nobly, not for personal power, but for the liberties, the rights, and the honour of their country."

He returned, after the adjournment of congress, to the unvaried occupations of his farm; and waited, with anxious hope, the effect of the appeal that had been made to the generosity of the king and British people.

In January, 1775, the general assembly of New Jersey re-appointed him a representative in the congress which was to meet in the ensuing spring. He took his seat in this illustrious council on the tenth of May; and attended assiduously until the adjournment in the following August.

At this time, however, the royal authority ceased in New Jersey, and the general assembly was superseded by a convention of deputies from the several counties, attended of course only by confirmed and decided whigs. This convention, on the fourteenth of February, 1776, elected Mr. Hart one of their delegates to congress, and he did not refuse the appointment.

His colleagues were William Livingston, Richard Smith, John Cooper and Jonathan Dickinson Sergeant; and they were vested with full powers to consent and agree to all measures which congress might deem necessary; and the province of New Jersey was pledged by the resolution appointing these delegates, to execute to the utmost all resolutions which congress might adopt.

On the twenty-first of June, a new appointment was made, in which John Hart was retained as being of accord with the people in their determination to risk all, and suffer all, that might be necessarily risked or suffered in the effort to gain independence; but some of his colleagues were not continued, because their zeal or their firmness could not so safely be trusted.

This new appointment, made after the proposition to declare independence had been brought forward in congress, and with a knowledge of Mr. Hart's opinions on the question, was accompanied with instructions "to join with the delegates of the other colonies in continental congress, in the most vigorous measures for supporting the just rights and liberties of America, and if you shall judge it necessary or expedient for this purpose, to join with them in declaring the United Colonies independent of Great Britain."

Although the life of John Hart was now drawing towards its close, and he was already full of years, the act most important to his future fame was yet to be performed.

The Declaration was at first published with only the names of Mr. Hancock, as president, and Charles Thomson, as secretary. Such was the caution still prevalent respecting this most important measure, the consequences of which would have been most disastrous to all concerned in it, if the contest had eventuated in the success of the British arms.

It is remarkable in the history of the revolutionary war, and is highly honourable to the patriots of that period, that their courage and spirit always appeared to be most lofty when the pressure of external circumstances seemed most disheartening. When the Declaration of Independence was first promulgated, the British army had just landed on Staten Island; and no one could tell which of the members of the congress had voted for a manifesto so offensive to the royal government. The president and secretary alone could be identified as individually responsible. Soon afterwards the battle on Long Island was fought; the American army was defeated with considerable loss; and it was known that the royal army was numerous, well disciplined and brave: under these circumstances a new publication of the Declaration was made, with the names of all the members, both those who were actually present, and those who subsequently came into congress.

Far from shrinking at this alarming crisis from the share of responsibility and contingent punishment attaching to each individual, by a concealment of the part that each had taken, every one seemed desirous to affix his name to an instrument which would have brought down on all the signers the direst vengeance of the British government, if the contest, apparently so unequal, had ended in the overthrow of the colonists.

It is impossible to contemplate without admiration the moral courage, the generous disinterestedness, and the conscientious resolution that could impel such a man as John Hart to sign his name to a paper which he could not but know would be a signal for the devastation of his farm, the dispersion of his family, and the total impoverishment of himself and his children. Not impelled by personal ambition, nor sustained by the ardour of youth—already trembling with the feebleness of age, and having neither hope of a protracted life to enjoy in his own person the restoration of peace and the establishment of political rights—nor suited by tempera-

ment, habit or education, for the attainment of political distinction; what could have supplied him with the motive for such heroic self-devotion? His motive is to be sought only in a sober conviction of rights invaded, in the dictates of a pure and enlightened patriotism, and a pious reliance on the protection of Heaven upon those who conscientiously performed their duty.

Accustomed during all his life to guide his conduct by the rules of right, and not by considerations of expediency, the same principle of rectitude, which had made him the chosen arbiter of all disputes among his neighbours, and acquired for him the title of "honest"—a distinction which immortalized Aristides—this honesty impelled him to execute all his duties faithfully, in whatever situation he might be placed, and guided him in the most elevated public act which was to be known and judged by the whole world, as well as in the most trivial concerns of his domestic circle.

New Jersey soon became the theatre of war. The British army proceeded as far as the banks of the Delaware, and their progress and vicinity was marked by the most unrestrained and wanton destruction of property. The details of their ravages, as they were communicated to congress, were most shocking and odious. The children of Mr. Hart escaped from insult by retiring from the neighbourhood of the troops; leaving the farm and stock to be pillaged and destroyed by the Hessians.

The waste committed there by the marauding parties of the enemy was unsparing, and they sought with great eagerness to make Mr. Hart himself a prisoner.

Being unwilling to leave his family at this particular juncture, he exposed himself frequently to the necessity of a precipitate flight, and a most inconvenient concealment. It had been impossible, so late in the season, to remove Mrs. Hart, who was afflicted with a disorder which terminated in her death, at this gloomy and disastrous period. Mr. Hart was driven from the bedside of his dying partner, and hunted through the woods and among the hills, with a perseverance, on the part of his pursuers, that was worthy of a better cause.

It was not until the latter part of December, that the enterprise of Washington, in striking suddenly at the Hessians posted at Trenton, cleared Jersey of these unwelcome visitors. Until that time, Mr. Hart was a fugitive among the scenes of his youthful sports and his manly usefulness. While the most tempting offers of pardon were held forth to all rebels that would give in their adhesion to the

royal cause, and while Washington's army was dwindling down to a mere handful, this old man was carrying his gray hairs and his infirmities about from cottage to cottage, and from cave to cave, while his farm was pillaged, his property plundered, his family afflicted and dispersed—he was, through sorrow, humiliation, and suffering, wearing out his bodily strength, and hastening the approach of decrepitude and death. Yet he never despaired, never repented the course he had taken; but was always hoping for the best, and upheld by an approving conscience, and by a firm trust that the favour of Heaven would not be withheld from a righteous cause.

The particulars of his wanderings, as he afterwards unostentatiously related them, would require too minute a detail for the scope of the present work. The extremities to which he was reduced, may be judged from two facts: one is, that for a long period he never ventured to sleep twice at the same house; and the other, which he very good humouredly told of himself, was, that being sorely pressed for a safe night's lodging, and being unknown where he applied for one, he was obliged to share the accommodations of a large dog; a bed-fellow, as he declared, not in those evil times the most exceptionable.

The successes of the American army at Trenton and Princeton, and the consequent evacuation of the greater part of Jersey by the British, relieved him from his most uncomfortable concealment, and enabled him to collect his family again, and set about repairing the damages done to his plantation. They were more easily repaired, indeed, serious as they were, than the injuries which hardship and anxiety had committed on his health and constitution. In restoring his devastated farm to order, and in giving advice to his friends and neighbours, who now in great numbers sought his counsel, he found ample occupation, and did not resume his seat in congress.

He lived to see much brighter prospects open; the surrender of Burgoyne, and the French alliance, left little doubt that with more or less of disaster and difficulty, but surely even if slowly, independence and peace would be obtained.

Happy in the strengthening of this hope into a confident anticipation, and in the consciousness of having well performed his duty during the whole of his life, he sunk into the arms of death, in the year 1780; leaving a character as free from any stain of sordid, or selfish motive, as it has ever fallen to the lot of man to sustain.

His only public employment, except those which have been men-

tioned, was that of justice of the peace; in the exercise of which he was an example of patient investigation and equitable judgment; qualities which brought to the jurisdiction of his humble judgment-seat many of his neighbours, among whom the belief of his untarnished probity and cool sagacity was unbounded.

He was in personal appearance highly prepossessing; and in his younger days had been called handsome. His height was about five feet ten inches, his form straight and well-proportioned, his hair very black, his eyes light, and his complexion dark. He was a man of great kindness and justice in his domestic relations; of which traits many characteristic anecdotes are recollected by his surviving friends.

Mr. Hart was a munificent benefactor of the Baptist church, of Hopewell township, to which he presented the ground for the meeting house and a burial ground adjoining. He attended with his family, regularly, on the public worship at this church until his last illness, and was always known as a sincere, but unostentatious Christian.

PROCEEDINGS
AT THE
DEDICATION OF THE JOHN HART MONUMENT,
AT HOPEWELL, N. J., JULY 4, 1865.

THE Eighty-ninth Anniversary of the Declaration of Independence has been made forever memorable for the people of this vicinity by the dedication of a monument* to the memory of JOHN HART, a distinguished citizen of Hopewell, and one of the immortal men who affixed their signatures to the Declaration of American Independence. JOHN HART died eighty-five years ago, in 1780, and was buried in a

* The monument, which was erected several days before the dedication or inauguration, is a plain shaft of Quincy granite, not lofty, but appropriate and tasteful in design and execution, and contains the following inscriptions:—

FRONT.

JOHN HART,
A Signer of the Declaration of Independence,
from New Jersey,
July 4th, 1776.—Died 1780.

RIGHT SIDE.

Erected by the State of New Jersey,
by Act approved April 5, 1865.
Joel Parker, Governor.
Edward W. Scudder, President of Senate.
Joseph T. Crowell, Speaker of House.
Jacob Weart,
Charles A. Skillman,
Zephaniah Stout,
Commissioners.

LEFT SIDE.

First Speaker of Assembly,
August 27th, 1776.
Member of the Committee of Safety,
1775—1776.

REAR.

Honor the Patriot's Grave.

family burial-ground, where his grave was marked only by a rude stone, without inscription. The grave was, however, easily identified through the care of one who attended the burial. In that lonely and almost forgotten grave the remains of JOHN HART continued to repose until very recently, when they were removed to the burying-ground of the Hopewell Church, where the monument is erected.

A year or more ago, JACOB WEART, Esq., a native of Hopewell, but now a resident of Jersey City, determined that a fitting monument to the memory of the neglected patriot and son of New Jersey should be erected, and to his persistent efforts it is due that the appropriation was obtained from the Legislature, and that the work is accomplished.

Around the monument are the graves of those who were his companions and associates, some of the tombs dating back as far as the year 1771, and some bearing no date, being simply a block or slab of brown stone: over all, trees of half a century's growth cast their shadows, as if to shield them from the storms.

At eleven o'clock, the procession having previously arrived on the ground, the exercises of the day commenced.

JACOB WEART, Esq., Chairman of the Commission, delivered the following

OPENING ADDRESS.

LADIES AND GENTLEMEN: The hour has arrived for the commencement of the exercises of this deeply interesting occasion. Eighty-five years ago, near this spot, the spirit of a revolutionary patriot took its flight and went to dwell with those of all past generations. Around his bier were gathered those who like himself were having their souls tried with the struggles and defeats of the Revolution: the land was still resounding with the clash of arms and the shock of battle; at every rising of the sun the reveille pealed forth, and sturdy soldiers marked the passing events upon the dial of time. It was amid such scenes as these that the men of Hopewell bore the corpse of honest John Hart to its resting-place, at the then burial-ground of all the neighborhood, upon the farm of John P. Hunt, and there deposited it by the side of those members of his family, those dear little ones who had preceded him to their long home. As the earth was closed in upon his remains, the bearers, as was the custom in those days, placed at the head of his grave a rude stone such as nature had furnished for the occasion: when all these sad rites were performed, the friends departed.

But beside that grave, on that day, there stood one who was more than a silent spectator—he was a soldier of the Revolution—one who had buckled on his armor and gone forth to defend those imperishable principles to which Hart had attached his name. After the funeral was over, this man said that

the men of future times would want to know the spot where the remains of Hart rested; so he went to the grave and cut a mark in the stone, in order that it might be identified. This man was Deacon James Hunt, a brother of John P. Hunt; and one, also, of the remarkable men of the times in which he lived. He was a man who, like Abraham of old, put his trust in God. And as Abraham, when he was leaning over the body of his son, with his knife just raised to shed his blood, and the Angel of the Lord called out of Heaven unto him, Abraham looked up with a calm and serene countenance and said, "Lord, here am I;" so when God sent a cloud, mainly of wind, thunder and lightning, to burn down the barn and outbuildings of Deacon Hunt, and while they were in flames, he seized his Bible and went out under a tree and commenced reading and praising God, while his earthly property was being destroyed. What a sublime spectacle! And as Abraham was blessed, so was Deacon James Hunt blessed for his faith; his days were lengthened out twenty-two years beyond those ordinarily allotted to man, and at ninety-two years he went down to his grave, a ripe Christian, beloved by all men who knew him, carrying with him the respect and affections of the people among whom he lived, and leaving behind a bright Christian character which will endure through all time.

This farm still remains in the possession of the Hunt family, and the grave of Hart we know has come down to us, pointed out by the finger of Deacon Hunt as certainly as though we had stood by the side of it in 1780, and ourselves beheld the remains deposited there.

How true the prediction, that the men of future times would want to know the spot where rested the remains of Hart. For eighty-five long years they have slept undisturbed beneath the rude stone upon which Deacon Hunt put his mark. The Revolutionary war, then about closing, passed away; the war of 1812 came and went; and a mighty nation rose up and inhabited the waste places of the land until it blossomed like a rose, and the infant nation which Hart had aided in planting here became one of the mighty powers of the earth; and when it was rolling in wealth and luxury the great rebellion swept over the country, plunging the nation in the furnace of affliction and deluging the land beneath a sea of blood; but amid all the last four years of shock of battle and din of strife, the remains of Hart slept quietly on with no signs of ever being disturbed.

But as we were coming out of the furnace, not only in name but in reality a nation of freemen, being welded together by the blood of thousands of martyrs—and as the white heat began to run off, and the signs of peace daily approached—the people of this State came forward and said that the grave of Hart should not be so cruelly neglected longer. And on the 6th of April last, the Governor put his signature to the act by which the silence of Hart's tomb was broken on the 6th day of June, when his remains were exhumed and placed here beneath this granite monument, which the people of the State have erected.

We have met together to-day to solemnly dedicate these stones to a departed one, dear and sacred to the people of this State, whose memory will be as lasting as liberty itself. The State has also come up on this occasion to pay still further homage to the ashes of Hart. His Excellency is here to deliver the oration. The public exercises will now commence.

At the conclusion of the opening address, an impressive prayer was offered by Elder PHILANDER HARTWELL, Pastor of the Hopewell Church.

After music by the band, Rev. J. ROMEYN BERRY, of Jersey City, read the Declaration of Independence as only such an accomplished reader could do the same.

His Excellency JOEL PARKER, Governor of New Jersey, was then introduced, who delivered the following

ORATION AND EULOGY.

It is now a little more than a century since the Parliament of Great Britain inaugurated that system of unjust and tyrannical measures which ended in the American Revolution, and the establishment of the independence of the colonies. The treasury of the mother country had been exhausted by continued war, and the British Ministry determined to replenish its empty coffers without placing additional burdens on the people of England. Hence, in 1763, a plan to tax America was devised, and heavy duties were laid on imported goods. In 1765 (just one hundred years ago) the Stamp Act was passed, and soon after came the Mutiny Act, which compelled the people of the colonies to subsist the troops sent by the King to coerce and overawe them. Measures of a similar character followed in quick succession. A spirit of resistance was aroused. The Colonial Legislatures and the people in conventions protested, and declared that, inasmuch as they had no representation in Parliament, they would not submit to laws passed by that body, imposing taxes upon them; and that the rights of taxation and representation were inseparable. Tumult and violence followed. The people refused to pay the taxes or to use the stamps, and compelled the officers of the crown to resign. With each repeated act of oppression the spirit of resistance grew stronger, until, in 1775 it broke forth in actual hostilities. The first blast from the trumpet of war sounded on the field of Lexington. It spread over the plain, and penetrated the distant valley. The bells from a thousand spires tolled out their signal notes, and the alarm fires from a thousand hills lit up the country in a blaze. It was on the Sabbath day that the news reached the quiet and secluded valley of Hopewell. "In the old Hopewell Baptist Meeting-house, Joab Houghton received the first intelligence of the battle of Lexington. Stilling the breathless messenger, he sat quietly through the services, and when they were ended, passed out, and mounting the great stone block in

front of the Meeting-house, beckoned to the people to stop. Men and women paused to hear, curious to know what so unusual a sequel to the services of the day could mean. At the first word, a silence, stern as death, fell over all. The Sabbath quiet of the hour and place was deepened into a terrible solemnity. He told them all the story of the cowardly murder at Lexington by the royal troops; the heroic vengeance following hard upon it, and the gathering of the children of the Pilgrims around the beleaguered hills of Boston. Then, pausing and looking over the silent crowd, he said slowly: "Men of New Jersey, the red-coats are murdering our brethren of New England! Who follows me to Boston?" And every man stepped out into line and answered, "I."—There was not a coward or a traitor in old Hopewell Meeting-house that day."

At the commencement of the American Revolution, the idea of independence did not enter the mind of the Colonists. They took up arms to defend themselves from oppression, and were ready to lay them down and submit to the Royal Government as soon as that Government should repeal the objectionable laws of which they complained, and withdraw military force from their soil. They still acknowledged allegiance to the King, and indulged the hope that a reconciliation would speedily be consummated. The people continued to vote petitions to his Majesty, entreating him to prevent the dissolution of that connection which the remembrance of former friendships and pride in the glorious achievements of common ancestors, had so long maintained. But all was in vain. Entreaty and remonstrance were of no avail. The people of England were governed by an unwise King. He drove America to a declaration of her rights, and by his own imprudence lost the brightest jewel of his crown.

The time at length arrived when the Colonies were compelled to stand forth and declare their independence. On the 7th day of June, 1776, Richard Henry Lee, of Virginia, arose in the Continental Congress, and submitted this resolution:—

"Resolved, That these united colonies are and of right ought to be free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and Great Britain is and ought to be totally dissolved."

Mr. Lee accompanied his resolutions with a brilliant address. "Why," said he, "why longer delay? Why still deliberate? Let this day give birth to an American Republic. The eyes of the world are fixed upon us. If we are not this day wanting in our duty, the names of the American legislators of 1776 will be inscribed on the page of history by the side of those whose memory has been and ever will be dear to virtuous men and good citizens." The consideration of the resolution was postponed to the 1st day of July, and in the mean time a committee was appointed to prepare a declaration of independence, to be adopted, provided the resolution then pending should pass. On the 1st day of July the subject was resumed, and on the 4th day of July, 1776

(the resolution having passed), the declaration of independence was signed. How solemn, how impressive, and yet how grand the spectacle! At a time when despondency and gloom had seized the stoutest hearts, when all seemed to be lost, and the triumphant shouts of the victorious enemy could be heard on every side, these choice spirits of the land, whose memory will be revered to the remotest generation, were gathered around the charter of American freedom. The fate of America and perhaps the political destiny of the world were about to be decided. The act then to be consummated was not the result of sudden passion, nor the wild burst of enthusiasm, but of long and painful discussion, of midnight meditation and secret prayer. The men who surrounded that table and affixed their names to that instrument, knew that, if unsuccessful, they were signing a death-warrant. They knew that a price had been set upon their heads, and that they had been excluded from the general amnesty offered those who would return to their allegiance. On the one side was prospective ignominy, chains, and death; and on the other the independence of their country, freedom from the tyrant's yoke, and the prosperity and happiness of their children. They did not hesitate. Nothing daunted by adverse circumstances, they boldly defied the most powerful monarch on the globe. One by one they seized the pen and traced their names in those bold characters that can never be effaced, and by that act gave birth to a nation. The thirteen feeble Colonies, comparatively without resources, without men or munitions of war, were embarked in a struggle for independence against a government that could command the most formidable fleets, and bring into the field the most powerful armies.

Among those gathered around that table on that memorable Fourth of July, eighty-nine years ago, was one whose name this day involuntarily comes to the lips of all here assembled. His lot in life was cast in the secluded scenes of this beautiful valley. Here he passed his childhood and youth; here, one hundred years ago, in the prime of manhood he trod the soil where we now stand, and here, after a long and eventful life, he found a resting-place. At his grave, in the presence of this vast assembly convened to pay a tribute of respect to his memory, as the representative of the State whose faithful servant he was, I dedicate this monument.

John Hart, one of the signers of the Declaration of Independence from New Jersey, was born in the year 1715. He was the son of Edward Hart, of Hopewell township, then in Hunterdon County. Edward was a man of considerable importance in his neighborhood, and during the French war raised in Hunterdon County a company of soldiers called the "Jersey Blues," and at their head marched to Quebec, where he fought under Wolfe on the Heights of Abraham. John took no part in the French war, but remained upon his farm. In the retirement of his quiet home he was an attentive observer of the conduct of the British Ministry towards the Colonies, and anxiously considered the great questions then agitating the public mind. At an early day he determined on the course to pursue. He was among the first to advocate

resistance to the tyranny of the mother country, and in all his subsequent career, whether in public or private life, he was consistent, steadfast, and immovable in the line of duty he had marked out.

For a long time he refused to accept office, and it was not until the difficulties and dangers that threatened the peace of the Colonies began to thicken, that he could be induced to separate himself from the pleasures of a home made attractive by a large and dependent family. In the year 1761, when 46 years of age, he was for the first time elected a member of the Colonial Legislature; and from that time to the day of his death, a period of eighteen years, he was continually in public stations of the gravest importance and responsibility. The district which he represented embraced the territory now composing the counties of Hunterdon, Sussex, Warren, Morris, and part of Mercer. He was an active and useful member, and was re-elected for ten years successively.

The time during which John Hart occupied a seat in the Colonial Legislature was a very important period in American history. The spirit that animated the Revolution was then born. Patrick Henry, in Virginia, and James Otis, in Massachusetts, with surpassing eloquence, harangued the people, and aroused them to the highest pitch of patriotic excitement. New Jersey kept pace with the other colonies, and her Legislature was among the foremost in defiant protest and condemnation. On the 30th day of November, 1765, resolutions strongly condemning the Stamp Act were passed.* For these resolutions John Hart voted; and in order to understand the motives that influenced his action in resisting the authority of the British Government, it will be well to read them:—

"WHEREAS, the late act of Parliament called the Stamp Act, is found to be utterly subversive of privileges inherent in and originally secured by, grants and confirmations from the Crown of Great Britain to the settlers of this Colony: in duty, therefore, to ourselves, our constituents, and posterity, the House of Assembly thinks it absolutely necessary to leave the following resolves on our minutes:

"That it is inseparably essential to the freedom of a people and the undoubted rights of Englishmen that no taxes be imposed on them but with their own consent, given personally or by their representatives." * * *

"That the people of this Colony are not and from their remote situation cannot be represented in the Parliament of Great Britain, and if the principle of taxing the Colonies without their consent should be adopted, the people here would be subjected to the taxation of two Legislatures, a grievance unprecedented and not to be thought of without the greatest anxiety." * *

"That any incumbrance that in effect restrains the liberty of the Press in America, is an infringement upon the subjects' liberty." * * * *

"That the extension of the powers of the Court of Admiralty within this province beyond the ancient limits, is a violent innovation of the right of trial by jury, a right which this House, upon the principles of their British ancestors, hold most dear and invaluable."

These were the principles which an hundred years ago influenced John Hart and his colleagues of the Colonial Legislature of New Jersey in protesting

against the usurpations of the Crown. "No taxation without representation," "Freedom of the Press," "Trial by Jury;" and they are as dear to the people and as essential to the existence of free government now as they were then.

On the 7th of May, 1768, an address to the King was unanimously adopted by the House, in which it was declared that one of the "rights and liberties vested in the people of the Colony is the privilege of being exempt from any taxation but such as is imposed on them by themselves or their representatives."

And on the 18th day of October, 1769, it was resolved without dissent "that the thanks of the House be given to the merchants and traders of this Colony and of the Colonies of New York and Pennsylvania, for their disinterested and public spirited conduct in withholding their importations of British merchandise until certain acts of Parliament laying restrictions on American commerce for the express purpose of raising a revenue in America, be repealed." But the legislative action most antagonistic to the Royal Government, and in which John Hart bore a conspicuous part, was commenced by a resolution of the Assembly passed on the 23d day of October, 1770, in these few words: "*Resolved*, That no further provision be made for the supply of His Majesty's troops stationed in this Colony." This was a direct impeachment of the King's authority, and if adhered to, must inevitably produce collision. On the passage of this resolution the vote was recorded, and among those voting against any allowance to the King's troops, and in favor of the resolution, we find the name of John Hart. When a copy of this resolution was presented to Governor Franklin, he was extremely indignant, and immediately sent a message to the House, in which he said: "I am greatly surprised and concerned to find that you have resolved that no further provision be made for the supply of His Majesty's troops stationed in this Colony. As, by the resolution, you refuse to comply with the express order from His Majesty founded on the highest authority, there can be no doubt that it will, if adhered to, be attended with very serious consequences. Should you determine to abide by your resolution, I must desire that you furnish me with your reasons, in as plain, full, and explicit a manner as possible, to be transmitted to His Majesty, that he may know from your own words, and not from my representations, the motives of your extraordinary conduct." This was intended as a threat, and it had the desired effect, for, on the same day the House receded, reconsidered the resolution, and granted five hundred pounds for the use of the troops. But this was not done by a unanimous vote. Six names are recorded in the negative, and among them is that of John Hart. The agitation of this question did not stop here. At the next session, held in April, 1771, the resolution not to pay the troops was renewed and again passed, Mr. Hart voting in the affirmative; and no British soldier was afterwards paid by the Colony of New Jersey. When the Governor was notified of the passage of this resolution a second time, he was so vexed that he immediately prorogued the House to the 2d of May, and administered to the members a severe lecture,

telling them to go home and take the sense of their constituents on the subject. The constituents of John Hart took the Governor at his word, and wrote a letter of instruction to their representatives, in which they warmly sustained his action. Although ninety-four years have passed since that document was written, it is still in existence.* I have here the original, and will now read it. It proves of what stuff the people of Hopewell were made in the "time that tried men's souls."

"We, the Freeholders of the county of Hunterdon, of West New Jersey, to the representatives of said county, appointed to meet at Burlington with the other representatives of said province, on the 2d day of May, 1771, greeting. Gentlemen: Whereas, we understand His Excellency the Governor has adjourned the House of Assembly in order to consider further on divers affairs presented to the House last session, in which interval the members might have an opportunity to consult their constituents: therefore, without the least defection in our zeal for His Majesty, or desire to promote contention between the different branches of the Legislative body in this province, yet desirous that our liberties may be secured to us, do agree with the resolution taken by the Assembly at their last sitting; and approve the reasons given to His Excellency, for not complying with several requisitions made respecting 'Encouragement for the augmenting His Majesty's regular troops in this province, and granting supplies for their support.' Moreover, we, your constituents, subject these following queries to your further consideration:—

"1. Whether to have the King's troops stationed among us in time of Peace is constitutional and agreeable.

"2. Whether they are or can be of any use to us, or whether any proper officer of this government has the command of them in any case of emergency.

"3. Whether regular troops does not spread vice and immorality in a country where they are maintained in idleness.

"4. Is it consistent with honor and justice to support them who do us no service?

"5. Whether there is not danger that a military power may in time interrupt the proper influence and management of civil administration.

"We think, gentlemen, that the consideration of these things, with what you have already urged, will constrain you to abide by your former resolutions, and you will continue to make the ease, safety, interest, and morals of the Province the subject of your zealous attentions. Signed by the freeholders of Hunterdon, May, 1771.

HEZEKIAH STOUT,
MOSES HART,
WILLIAM SHERD,
NEHEMIAH SEXTON,
NATHANIEL STOUT,
WM. CHAMBERLING,

BENJAMIN STOUT,
JOAB HOUGHTON,
HENRY VANKIRK,
ANDREW STOUT,
ABRAHAM STOUT,
WM. BRYANT.

"To JOHN HART and SAMUEL TUCKER."

It is hardly necessary to add that at the next session the resolution was adhered to. The question was taken on the 31st of May, and carried by a vote of fifteen to four, John Hart voting in the affirmative.

* It is the property of Cha's L. Pascal, Esq., of Philadelphia, a grandson of John Hart's daughter Susanna, who married Major John Polhemus, of New Jersey.

I have made this brief reference to the record of Mr. Hart, as a member of the Colonial Legislature, in order to establish the fact that he was one of the earliest as well as one of the most resolute friends of American Independence; and that upon all vital questions, such as the Liberty of the Press, the Trial by Jury, and especially the subjection of military to the civil authority, he espoused the cause of the people against the Crown. His fellow members must have placed implicit confidence in his honesty and business capacity, for besides being on other important committees, he was always appointed to audit and settle public accounts, and adjust claims against the Colony.

Mr. Hart left the Colonial Legislature in 1772, but he soon appeared again in a position of still greater importance and responsibility. The controversy between the Legislature and Governor Franklin, growing out of the Stamp Act and other kindred measures, was conducted with great acrimony. The sympathies of the Governor were with the Crown, and he contrived to thwart the action of the Legislature in defending the rights of the people. He would sometimes dissolve or prorogue the House without justifiable cause, and at other times would refuse to convene it when absolutely necessary. It was evident that something must be done to get rid of the Governor's power, or the Colony would be irretrievably subjugated; and accordingly the people of every county met and appointed delegates to a convention called to take into consideration the condition of public affairs, and to put the Colony in a posture of defence. The first session of this convention was held at New Brunswick in 1774, and it subsequently met at Trenton and Burlington, and continued in being until July, 1776, when it formed a constitution, deposed Gov. Franklin, and organized a State government, which still exists, and we trust will continue to exist to the end of time. This convention, which was entirely independent of the Governor, assumed the functions of legislation, and was called the *Provincial Congress*. It was, perhaps, the most important body that ever convened in New Jersey. During the whole period of its existence John Hart was a delegate from the County of Hunterdon. He was present, and served in the sessions of May, June, and August, 1775; was re-elected, and attended the sessions of October, 1775, and January and June, 1776. He appears to have been a leading member, and served as chairman of several important committees. To him was intrusted the preparation of an estimate of the expenses necessary to put the Colony in a state of defence; also the preparation of an ordinance for the government of the militia. In those primitive days of finance, he was selected to frame an ordinance for emitting bills of credit, and making provision to sink the same, and was appointed one of the commissioners to sign the proclamation money. He was also chairman of a committee to prepare an ordinance for erecting a Court of Admiralty. These various trusts committed to him by his fellow members, prove the estimate of his character and talents entertained by those who knew him best.

At each session after actual hostilities commenced the Provincial Congress selected from among its members a commission called the "Committee of

Safety," which met in various parts of the Colony during the recess, and performed the most important and delicate duties. Of this committee John Hart was continually a member, and the proceedings show that he was always in attendance at its deliberations.

But a station of far greater importance and distinction—one that will transmit to the remotest posterity the name of John Hart, and give him an enduring place on the historic page—awaited him. A crisis in American affairs approached. In the character of rebels, the colonists could not hope to enlist the sympathy or aid of European powers; neither was there a sufficient motive to command, to the fullest extent, their own energies; and it became necessary for them to assert their nationality. Many were opposed to the movement, and it was extremely doubtful, up to the day the Continental Congress adopted Mr. Lee's resolution, whether independence would be declared. In February, 1776, the Provincial Congress of New Jersey chose five delegates to the Continental Congress, all of whom, except William Livingston (who had received a military commission), declined or refused to attend, because they were not prepared to take the proposed step. Under these circumstances, the Provincial Congress met at Burlington, in June, 1776, and proceeded to elect men of sterner mould, upon whom they could rely, to join with the other Colonies in the contemplated declaration. John Hart, although at the time a member of the Provincial Congress, was chosen a delegate, together with Richard Stockton, John Witherspoon, Francis Hopkinson, and Abraham Clark; and they signed the declaration on the fourth day of the following month. This man, of humble origin, modest and unassuming, without advantages of early education, a plain farmer, had, by his integrity of character, his wisdom, his practical sense, and his patriotic zeal, acquired such an influence among his colleagues as to be esteemed worthy to stand side by side with Jefferson and Adams, Franklin and Rush, Stockton and Witherspoon, the most eloquent, the most learned, the most distinguished statesmen of the land.

In the directions given to the New Jersey delegates to the Continental Congress, their action on the question of independence was left to their discretion; and they were requested to join in declaring the United Colonies independent of Great Britain, if they thought it necessary and expedient. But the instructions upon the nature of the government to be formed in case independence should be declared, were specific; and they prove the kind of government our forefathers intended should be established, and their extreme jealousy of the right of self-control in reference to the proper subjects of local legislation. The instructions were, to join with the delegates of the other Colonies in the most vigorous measures for supporting the just rights and liberties of America; and if independence should be declared, then to enter into a confederacy for Union and common defence, and make treaties with foreign nations, and take such other measures as might be necessary for these great ends; but that whatever confederacy they should enter into, the regulation of internal affairs was to be reserved to the Provincial Legislature.

New Jersey did not wait for the Declaration of Independence, but proceeded in advance of all the other Colonies to assert the right of self-government; and before the Declaration of National Independence was signed she separated from the mother country, cut loose from all allegiance to the Crown, and established a State government. On the 2d day of July, 1776, the Provincial Congress adopted a constitution, which governed the State from that day to the year 1844.

At the first election under the new government, held in August, 1776, John Hart, although still a member of the Continental Congress, was elected a member of Assembly from the county of Hunterdon. The first Legislature of the State of New Jersey met at Princeton on the 23d of August, and Mr. Hart was elected Speaker of the House by a unanimous vote. Thus, within the period of three months, he filled three stations of the first importance: a member of the Provincial Congress, a delegate to the Continental Congress, and Speaker of Assembly. William Livingston was elected by the Legislature the first Governor of the State, and after his induction to office, as was then the custom, he sent for the Assembly to attend him in the Council Chamber, where he delivered in person his message; and on the 5th day of October, 1776, the Speaker delivered in return the address of the House. This address was not only delivered, but signed by John Hart, and for the purpose of developing still further his character and the sentiments that controlled his action at this most interesting period of revolutionary history, I will make some extracts from this address. "Your obliging mention of the importance of the station in which the uncorrupted voice of our constituents hath placed us, demand our acknowledgments, and will, we hope, spirit us to such exertions in our duty as may redound to the benefit of the State, and we assure you, with sincerity, that, laying aside all private attachments and resentments, it shall be our duty to cultivate that harmony, that spirit of economy, industry, and patriotism, so essential to the public welfare; and that whilst our heaven-directed generals and soldiers, with an ardor peculiar to freemen, brave the dangers of well-fought fields, against the lawless sons of rapine and plunder, ours shall be the important task, in conjunction with your Excellency, to give our cool deliberation and useful resolves. We hope that no situation in life can make us lose sight of that evident truth so loudly proclaimed in the historic page, that dissoluteness of manners and political corruption are inseparable companions in the destruction of kingdoms; while the concurring testimony of the inspired penmen will enforce on the most obdurate heart that 'righteousness exalteth a nation, but that sin is a reproach to any people.' Determined to employ the talents given, in procuring and transmitting inviolate to posterity the fair inheritance of civil and religious liberty, *though bought at the price of life*, we will look for the permanency and stability of our new government to Him who bringeth Princes to nothing and teacheth nations wisdom." Such was the language of this noble patriot at the most gloomy period of the Revolution. Firmly resolved to do his duty in every emergency, though at the

risk of his life, yet his trust was in God. The British forces then had possession of the State of New Jersey. The Americans, unable to resist the immense armies brought against them, had retired from New York across the Hudson. The decimated army of Washington, almost without arms or ammunition, ragged and ill fed, were driven through New Jersey, and across the Delaware, by the well equipped, well supplied, and confident British regulars and their Hessian allies. Towns were sacked and destroyed, houses pillaged, and the families of prominent patriots driven from their homes and compelled to conceal themselves in swamps and caves. Never did a country suffer more from the ravages of war than did New Jersey during the advance of the army of Lord Cornwallis in 1776. In his message to the Legislature next succeeding this campaign, Governor Livingston thus describes the conduct of the enemy: "Their rapacity was boundless, their rapine indiscriminate, and their barbarity unparalleled. They have warred upon decrepit age and defenceless youth. They have butchered the wounded asking for quarter, mangled the dying weltering in their blood, refused to the dead the rights of sepulture, suffered prisoners to perish for want of sustenance, and in the rage of impiety and barbarism, profaned edifices dedicated to Almighty God." The Legislature fled from Princeton to Burlington, thence to Pittstown, in Salem County, and thence to Haddonfield, where it dissolved, and Mr. Hart returned to look after his family. He found his home deserted. The health of his wife, to whom he was devotedly attached, impaired by the cares of a large family and the alarm created by the near approach of the Hessians, had given way, and she died in the absence of her husband. His children had fled, and were concealed in various places in the mountains. His crops had been consumed by the enemy, and his stock driven away. He was compelled to fly to save his life; and for weeks he was a fugitive, hunted from house to house, wandering through the forests, and sleeping in caves. His biographer feelingly remarks: "Thus was this old man, carrying his gray hairs and his infirmities about from cottage to cottage, and from cave to cave, leaving his farm to be pillaged, his property plundered, his family afflicted and dispersed; yet through sorrow, humiliation, and suffering, wearing out his bodily strength, and hastening on decrepitude and death, never despairing, never repenting the course he had taken, hoping for the best, and upheld by an approving conscience and by a firm trust that the power of Heaven would not be withheld from a righteous cause."

At length a change came. On the memorable night of the 25th of December, 1776, in the midst of snow, hail, and rain, Washington, at the head of his brave but almost despairing army, recrossed the Delaware at McKonkey's Ferry. Silent and thoughtful was the march of that little band over those long and weary miles of snow and frost on that tempestuous night; but at dawn of day their artillery swept the streets of Trenton, the impetuous charge was made, and the victory won. This, with the success of the Americans at Princeton, revived the drooping spirits of the people, and rescued the State

from the invaders' grasp. John Hart came forth from his hiding place, and convened the Legislature to meet at Trenton on the 22d of January, 1777. He was again unanimously elected Speaker, and continued to hold the same position at that and subsequent sessions, exercising a controlling influence in legislation until his declining health obliged him to vacate the chair; and on the 11th day of May, 1779, at his home in Hopewell, he departed this life, full of years and honors, leaving behind him a name that will never perish.

As his public career was without blemish, so was his private life pure and exemplary. He was a consistent member of the old Hopewell Church, and gave to the congregation the land on which the meeting-house was erected, and in which his remains are now deposited.

Such, fellow-citizens, were the services, and such the character of the man around whose grave we are now assembled. And surely his was a character worthy of all respect, honor, and reverence. He was a true patriot. He sacrificed his property and his life in defence of the rights of the people. And this he did, not from the promptings of ambition. He was an unostentatious farmer, and loved retirement. He cared not for place or power, but, after he had passed the prime of life, he accepted the various stations he filled so worthily only from a sense of duty to his country.

In the dark hours of 1776, when all seemed lost, that old man called together the body over which he presided, and encouraged his desponding associates to take measures for defence; and when forced to dissolve the House and fly for his life, a fugitive and a wanderer, his faith and courage never forsook him. The history of that day does not furnish a more marked or more interesting character. Not eloquent or learned, he was gifted with strong intellect and sterling common sense, and these, joined with great integrity and zealous and untiring patriotism, gave him a powerful influence over all with whom he was associated. Upon a careful examination of the history of New Jersey during and immediately preceding the Revolutionary war, I am of opinion that John Hart had greater experience in the Colonial and State legislation of that day, than any of his contemporaries; and that no man exercised greater influence in giving direction to the public opinion which culminated in independence. In erecting this monument to his memory the State of New Jersey has done an act of long-delayed justice; and I rejoice that during my official term I have the privilege of being present at its dedication, and at the patriot's grave, on behalf of a grateful people to pay this imperfect tribute to the memory of one who bore so honorable and so conspicuous a part in the great drama of the American Revolution. Henceforth it will not be said, as, alas! it has been said with too much truth, that he who stood by the country in the hour of its peril, who placed his name to the instrument which declared her free, who sacrificed time, and health, and life in her cause, is suffered to sleep in neglect, without even a stone to say to the curious stranger, "Here lies the body of honest John Hart."

John Hart did not live to see the end of the war. He died before the object

for which he toiled and suffered, and for which he pledged fortune, honor, and life, had been attained.

But he was permitted to live long enough to see the dawning of the day. The alliance with France and the surrender of Burgoyne preceded his death, and he must have died with the assurance that the Declaration to which he had affixed his name would be maintained by the power of arms.

Long and doubtful was the struggle that followed, but the God of battles directed the issue. The proudest and most powerful monarch on earth was humbled, and the United States of America was enrolled upon the list of nations.

The work was finished, and not a stain defaced the escutcheon of American arms. Other armies, after subduing the enemy, have turned upon their brethren, and embroiled their country in civil war. Other generals have refused to sheathe the sword so long as ambition presented an object for its exercise. It was reserved for the American hero, as soon as the necessity that called him to the field ceased to exist, cheerfully to yield up his commission, and retire to the rural shades of Vernon. On the 2d of November, 1783, Washington issued his farewell orders and bade his comrades a final adieu. On the next day the army disbanded, and the soldiers returned to their homes. A grateful country, since possessed of ample means, remembered their services. The morning of their life was passed amid the storm and tempest, its evening was solaced by the twilight of repose.

"The joy

With which their children tread the hallowed ground
That holds their venerated bones; the peace
That smiles on all they fought for, and the wealth
That clothes the land they rescued; these, though mute
(As feeling ever is when deepest), these
Are monuments more lasting than the fanes
Reared to the kings and demigods of old."

Time will not suffice to trace the progress of the new nation. A constitution founded on the great and eternal principles of justice was adopted, forming a union of many distinct sovereignties, yet so blended as to constitute one harmonious whole. Under this form of government the nation prospered and grew in power and resources beyond all precedent. Its flag was known and respected in every port of the civilized globe, and its commerce traversed every sea. Millions of fearless and hardy pioneers penetrated the western forests, redeemed the wilderness, and built splendid cities on the shore of the Pacific. In eighty years the population increased from three to thirty millions, the territory was vastly extended, and the number of States more than doubled. History does not furnish an example of such rapid progress in all that goes to constitute a great and powerful nation. But, alas! while in the midst of unexampled prosperity, the seeds of civil discord were sown. The heresy of secession took deep root. The people of a section becoming dissatisfied, and

claiming secession as a constitutional right, attempted to withdraw from the Union and set up a separate government. We have but just emerged from the terrible struggle that ensued, with our wounds still bleeding. The weeds of mourning for those who have fallen are still fresh, and the flowers have not yet withered on the new-made graves. *Thanks be to God that peace once more reigns throughout the land. Thanks be to God that the Union is saved.* The question which, from the infancy of the nation, has imperilled its existence, has been settled. But do not mistake the import of the decision. It has not been decided that the States have no rights. The nature of the government established by our revolutionary fathers is not changed. The States have never been out of the Union, and their powers of government within their proper sphere are as real and absolute now as they ever were; but it has been settled beyond all controversy, that to secede at will, and thus dissolve the Union, is not one of the rights of a State, and that all fancied or real grievances must be settled within the Union by the lawful tribunals, and not outside of it, by force of arms. It has been decided that the framers of the Constitution intended to make a perpetual Union, and that the existence of a great nation must not depend on the will of a single party to the compact.

As New Jersey was among the foremost in the struggle which ended in the formation of the Union, so has she been among the most earnest to preserve it. While the maintenance of peace seemed possible, she labored perseveringly to that end; but when the insurgents fired upon the flag which is the emblem of our nationality, her people arose as one man; and at the call of the authorities, thousands rushed to the scene of conflict; nor did she relax her efforts so long as an armed foe defied the authority of the Government. No troops have behaved with greater gallantry. There is not an instance of a New Jersey regiment leaving the field in confusion and without orders. They were with Kearney on the Peninsula, with Mott at Petersburg, with Torbert in the valley of the Shenandoah, and with Kilpatrick in his triumphant march through the South.

For the preservation of the Union, which John Hart and his compeers labored to establish, they bared their bosoms in the forefront of danger, on almost every battle-field of the war. Having finished their work, they are now returning to their homes. Let them be welcomed with every manifestation of joy. Let age and youth, manhood and beauty, vie with each other in doing honor to these brave men. Let bonfires and illuminations, the sound of music, the roar of artillery, and the loud huzzas of a grateful people, greet them.

And now that the war is over, the nation will resume with vigor the great race of civilization and progress. Those who participated in the rebellion acknowledge that they have been thoroughly defeated, and are sincerely anxious to renew their allegiance. The magnanimous terms extended by Grant, not only disbanded the rebel armies, but completely disarmed the passions and

prejudices of the people. No tongue can describe the suffering they have endured for the last four years. Let a spirit of kindness and charity, so far as is consistent with justice and the public welfare, be extended to a fallen foe, and soon the wounds made by the ravages of war will be healed; and bound together in cordial union, the United States of America will speedily become **THE** great power among nations.

And now, my friends, our duty is performed, and we will soon leave this consecrated ground. This monument may crumble and decay, but the fame of him whose remains are here entombed shall never die. The historic page will speak of him to posterity; and may we not hope that, after all now here assembled shall have passed from earth—in the far off centuries—that future generations shall stand by this tomb, dedicated to virtue and to patriotism; and as they contemplate the character of him whose dust lies beneath this monument, draw inspiration from the hallowed spot; and here, beneath the shadow of this temple dedicated to Almighty God, renew their vows, and swear that his work shall never perish, and the Union shall be perpetual.

Several relics of John Hart and his times were shown by the Governor during the delivery of the oration. Among these was the old family Bible used by John Hart, in which are recorded, in his own handwriting, the record of the births, marriages, and deaths of the family. The original deed from John Hart to the Baptist Church of Hopewell (giving the land on which the church is built), drawn in 1771, and a piece of the table used by John Hancock, on which the Declaration of Independence was signed, were also shown. These interesting relics are now in the possession of Mr. Cha's L. Pascal, of Philadelphia, a descendant of John Hart.

NOTES.

CHILDREN OF JOHN HART.

EXTRACTS FROM FAMILY BIBLE IN JOHN HART'S WRITING.

Sarah, born October 16. [Year not legible.]

Jesse, born September 19, 1742.

Martha, born April 10, 1746.

Nathaniel, born October 29, 1747.

John, born October 29, 1748.

Susannah, born August 2, 1750.

Mary, born April 7, 1752.

Abigail, born February 10, 1754.

Edward, born December 20, 1755.

Scudder, born December 30, 1759.

A daughter (nameless), March 16, 1761.

Daniel, born August 13, 1762.

Deborah, born August 21, 1765.

Sarah married a Wyckoff, and her grandson, Samuel S. Wyckoff, is a prominent merchant in Murray Street, New York.

Susannah married Major John Polhemus, a revolutionary officer.

Deborah married Joseph Ott.

Daniel went to Virginia.

Three of John Hart's sons (supposed to be Jesse, Nathaniel, and John) acted as Washington's guides while campaigning in New Jersey.

The wife of John Hart was Deborah Scudder, whom he married about the year 1740. She was then 18 years old. She died on the 26th of October, 1776, leaving twenty-two grandchildren.

The township of Hopewell was formerly in Hunterdon County, but is now in Mercer; the latter county having been set off from Hunterdon and Burlington by legislative act.

A part of Mr. Hart's family, in the fall and winter of 1776, took refuge in a log hovel near Moore's Mill, about two miles from Hart's residence. He was secreted in Sourland Mountains during the day, and at night he slept in an out-house with the family dog as his only companion.

The time of Mr. Hart's death has been stated differently by different writers. Sanderson, in his "Lives of the Signers," puts it in the year 1780. Others

make the time 1778. The true time is that given by Governor Parker—11th of May, 1779. This appears by a marginal note in the proceedings of the Legislature of that year, and this date is confirmed by the probate of the will, which was May 23, 1779.

The personal appearance of Mr. Hart was very prepossessing. He was 5 feet 10 inches high, well proportioned, very black hair, keen blue eyes; stood very straight; skin little brown.

Mr. Hart was a man of great kindness of heart. It is told that he had a negro named Jack, who was a great favorite of his master. While Mr. Hart was absent Jack committed some offence that subjected him to the charge of larceny of his master's goods. On his return, Mr. Hart was solicited by some of the family to punish Jack, but he refused, and declared that Jack could not steal from him, since he had confided all his movables to his care, and nothing more than a breach of trust could be made of it.

Joab Houghton, who was one of the signers of the instructions to John Hart in 1771, was made a Colonel in the American army in 1775. He was a brave officer. In 1776, when the county was overrun by the Hessians, he collected a few of his neighbors and had a fight with a party of the enemy at Moore's Mill, in which the leader of the Hessians, with a dozen men, were taken prisoners. Col. Houghton remained in the field during the whole war, and was afterwards a member of the Legislature from Hunterdon. He was a member of the Hopewell Baptist Church, and died in 1795.

THE STOUT FAMILY.

Jonathan, the ancestor of the Stouts, came to Hopewell from Middletown, in this State, in the year 1706. His family was one of the first three which settled on the tract now called Hopewell. The place, then, was a wilderness, and full of Indians. "The family of the Stouts are so remarkable for their number, origin, and character, in both church and state, that their history deserves to be conspicuously recorded; and no place can be so proper as that of Hopewell, where the bulk of the family resides. We have already seen that Jonathan Stout and family were the seed of the Hopewell church, and the beginning of Hopewell settlement; and that of the fifteen which constituted the church, nine were Stouts. The church was constituted at the house of a Stout, and the meetings were held chiefly at the dwellings of the Stouts for forty-one years, viz., from the beginning of the settlement to the building of the meeting-house, before described. Mr. Hart was of opinion 'that, from first to last, half the members have been and were of that name; for, in looking over the church book (saith he), I find that near two hundred of the name have been added; besides about as many more of the blood of the Stouts, who had lost the name by marriage. The present (1790) two deacons

and four elders are Stouts; the late Zebulon and David Stout were two of its main pillars; the last lived to see his offspring multiplied into one hundred and seventeen souls.' The origin of this Baptist family is no less remarkable, for they all sprang from one woman, and she as good as dead; her history is in the mouths of most of her posterity, and is told as follows: 'She was born at Amsterdam, about the year 1602; her father's name was Vanprincis; she and her first husband (whose name is not known) sailed for New York (then New Amsterdam) about the year 1620; the vessel was stranded at Sandy Hook, the crew got ashore, and marched towards the said New York; but Penelope's (for that was her name) husband being hurt in the wreck, could not march with them; therefore, he and the wife tarried in the woods. They had not been long in the place before the Indians killed them both (as they thought), and stripped them to the skin. However, Penelope came to, though her skull was fractured and her left shoulder so hacked that she could never use that arm like the other. She was also cut across the abdomen, so that her bowels appeared; these she kept in with her hand. She continued in this situation for seven days, taking shelter in a hollow tree, and eating the excrement of it. The seventh day she saw a deer passing by with arrows sticking in it, and soon after two Indians appeared, whom she was glad to see, in hope they would put her out of her misery. Accordingly, one made towards her to knock her on the head, but the other, who was an elderly man, prevented him, and, throwing his matchcoat about her, carried her to his wigwam, and cured her of her wounds and bruises. After that he took her to New York, and made a present of her to her countrymen, viz., an *Indian* present, expecting ten times the value in return. It was in New York that one Richard Stout married her. He was a native of England, and of a good family. She was now in her 22d year, and he in his 40th. She bore him seven sons and three daughters, viz., Jonathan (founder of Hopewell), John, Richard, James, Peter, David, Benjamin, Mary, Sarah, and Alice. The daughters married into the families of the Bounds, Pikes, Throckmortons, and Skeltons, and so lost the name of Stout: the sons married into the families of Bullen, Crawford, Ashton, Traux, &c., and had many children. The mother lived to the age of 110, and saw her offspring multiplied into 502, in about 88 years.'—*Benedict's Hist. Baptists*.



RES. OF ABRAHAM CLARK
Elizabeth C. M.D.

ABRAHAM CLARK.

ABRAHAM CLARK was born in the borough of Elizabethtown, county of Essex, and province of New Jersey, on the fifteenth of February, 1726. He was the only child of Alderman Thomas Clark, whose ancestors first settled upon the farm which descended to his son. He enjoyed a good English education, under competent teachers, and was particularly addicted to the study of the mathematics, and of civil law. In the year 1743, at the age of twenty-two years, he married Sarah Hetfield, of Elizabethtown, who survived him ten years.

On the twenty-first of June, 1776, he was appointed by the provincial congress, in conjunction with Richard Stockton, John Hart, Francis Hopkinson, and Dr. John Witherspoon, a delegate to the continental congress. They were instructed to unite with the delegates of the other colonies in the most vigorous measures for supporting the just rights and liberties of America, and if it should be deemed necessary or expedient for this purpose, to join with them in declaring the United Colonies independent of Great Britain.

Mr. Clark applied himself zealously to the discharge of his new duties, and was, for a long time, one of the leading members of the Jersey delegation. His industry, abilities, and perseverance in the business of committees, and his plain, clear view of general measures, rendered him a valuable member of the house; while his patriotism and integrity attracted the respect and admiration of his colleagues. His faith and firmness were amply tested, a few days after he took his seat, by his cordial co-operation with those who advocated the immediate proclamation of Independence; and it is believed that his strong conviction of the propriety of that measure united with his many political virtues in promoting his appointment. One of the first duties which devolved on him as a member of the great national council, involving personal safety and fortune, and, what ranked above all other considerations in the estimation of Mr. Clark, the liberties of his country, was discharged with alacrity;

and he affixed his name to the Declaration of Independence, with those feelings of pride and resolution which are excited by a noble but dangerous action. On the thirtieth of November, 1776, he was again elected by the provincial congress of New Jersey, and continued, with the exception of the session of 1779, to be annually re-elected a delegate from that state until the month of November, 1783. During this long period of service, his necessary intimacy with the proceedings of congress, and the course and nature of the arduous and protracted affairs which frequently demanded a great extent of memory and attention, rendered him an active and useful member. In 1788, he again took his seat in the national legislature.

The intervals of his non-election to congress were not devoted to leisure, nor applied to that relief from public cares which the feebleness of his constitution required. His exertions and services in the state legislature, of which he was a member during those periods, were properly appreciated, and his influence became so extensive, that he personally incurred popular praise or reproach, in proportion to the applause or odium excited by the general acts of the legislature.

Mr. Clark possessed the reputation of being a rigid economist in all things relating to the public treasure. Having, during the impoverished state of the country, strongly opposed a proposition of commutation for pay made in behalf of the officers of the revolutionary army, they became his decided enemies, and united their influence with the legal interest, in opposing his popularity. In justification of the course which he had pursued, he maintained that he, as well as many other civil officers, had cheerfully sacrificed a large share of property and domestic enjoyment for the public benefit, and that he considered the officers of the army, in common with himself, his family, and all others, as fully compensated for years of suffering and privation, by the result of the contest.

Mr. Clark was one among the earliest promoters of those measures which led to a convention for the purpose of framing a more stable and efficacious constitution for the government of the states. He had frequently discussed this subject with Governor Clinton, of New York, particularly as it related to the oppressive conduct of the government of that state, in levying duties on vessels from other states; and he had demonstrated the dangerous tendency of the measure. It is not, however, probable that he contemplated, at that period, the magnificent fabric which was subsequently erected on the ruins of the old confederation; his views and wishes were

then circumscribed to an enlargement of the powers of the latter instrument.

In 1787 he was appointed a member of the general convention which framed the federal constitution, but was prevented by ill health from joining in the deliberations of that illustrious assembly. He was opposed to the constitution, in its primitive form; but his objections being removed by subsequent amendments, it met with his cordial approbation and support. Advantage was taken of these free sentiments by those who were inimical to Mr. Clark. His objections were magnified into a charge of anti-federalism, which, joined with the opposition of the legal interest, and of the discontented officers, together with a corrupt election, (which was referred to the first congress,) placed him, for the only time during his long political life, in the minority in the elections of New Jersey. He was, however, appointed, in the winter of 1789-1790, a commissioner to settle the accounts of the state with the United States, which office he held until the ensuing election, when he was elected a representative in the second congress, and continued to hold this honourable appointment until a short time previous to his death.

Towards the close of his public career, Mr. Clark continued, with unimpaired activity, to engage in the promotion of such political measures as, according to his mature judgment, appeared compatible with the welfare of his country, or necessary for the support of its dignity. In the congress of 1794, he exerted his influence and talents in support of the memorable resolutions submitted by Mr. Madison, relative to the commerce of the United States.

The proceedings of the national legislature continued gradually to assume a more threatening character, and a war with Great Britain appeared to be almost inevitable. The irritable state of the public temper was felt upon the floor of congress, and the debates were conducted with peculiar vehemence. Numerous propositions had been made, during the general ferment, of the most decisive nature. On the twenty-seventh of March, 1794, Mr. Dayton moved a resolution for sequestering all debts due to British subjects, for the purpose of indemnifying our citizens for spoliations committed on their commerce by British cruisers; but, before any question was taken on this proposition, Mr. Clark moved a resolution which suspended, for a time, the consideration of the commercial regulations. This was to prohibit all intercourse with Great Britain, until full compensation was made to our citizens for the injuries sustained by them from British armed vessels, and until the western posts

should be delivered up. Warm and animated discussions of the several propositions continued to take place daily, but they were suffered, by the majority, to remain undecided. On the sixteenth of April, President Washington announced to the senate, the nomination of the honourable John Jay as envoy extraordinary to his Britannic majesty, for the purpose of adjusting the difficulties which existed between the two countries.

On the eighteenth of April, a motion to consider the report of the committee on the resolution proposed by Mr. Clark, was opposed principally on the ground, that as Mr. Jay had been nominated to the court of Great Britain, no obstacle ought to be thrown in his way. It was also said, that the adoption of the resolution would be a bar to negotiation, as it used the language of menace, and would certainly be received with indignation; that it also prescribed the terms on which alone a treaty should be made, and was consequently an infringement of the right of the executive to negotiate, and an indelicacy to the department; and that, as it withheld the benefits of American commerce from one belligerent, while it remained free to the other, it manifested a partiality which was incompatible with neutrality, and led to war. On the contrary, it was urged that the measure was strictly within the duty of the legislature, they having solely the right to regulate commerce; that, if there was any indelicacy in the clashing of the proceedings of the legislature and executive, it was to the latter, and not to the former, that this indelicacy was to be imputed; that the resolution had been several days depending in the house, before the nomination of an envoy had been made; and that America, having a right as an independent nation to regulate her own commerce, the resolution could not lead to war. A bill was finally brought in conforming to Mr. Clark's resolution, and carried by a considerable majority. It was, however, lost in the senate, on the twenty-eighth of April, by the casting vote of Mr. Adams, the vice president.

The feelings which actuated Mr. Clark in his course of public usefulness, were wholly disinterested. Separating the patriot from the father, he scrupulously refrained from exerting his influence with congress in favour of his sons, who were officers in the army, and had been captured by the enemy: yet a part of their confinement was in the prison-ship Jersey, and they suffered more than the ordinary hardships of prisoners. In one instance, however, paternal feeling was exercised with propriety. The treatment of American prisoners by the British had, in many cases, been pecu-

liarly barbarous, and disgraceful to a civilized nation, and retaliation was the indirect mode by which protection was afforded to our suffering countrymen. Thomas Clark, a son of Mr. Clark, and a captain of artillery, experienced the most cruel persecution: he was immured in a dungeon, with no other food than that which was introduced by his fellow prisoners through a key-hole. A representation of this fact being made to congress, retaliation was resorted to in the person of a British captain; the desired result was produced, and Captain Clark's sufferings were mitigated.

Exhausted by his political toils, and the infirmities incident to a feeble constitution, Mr. Clark finally retired from public life on the adjournment of congress, ninth June, 1794.—Patriotism was the most distinguishing trait in the character of this plain and pious man. In private life, he was reserved and contemplative: preferring retirement to company, and reflection to amusement, he appeared to be continually absorbed in the affairs of the public. Limited in his circumstances, moderate in his desires, and unambitious of wealth, he was far from being parsimonious in his private concerns, although a rigid economist in public affairs.—His person was of the common height, his form slender, and his eyebrows heavy, which gave an appearance of austerity to his countenance. His habits were extremely temperate, and his manner thoughtful and sedate.

In the autumn of 1794, this excellent man experienced a *coup de soleil*, or stroke of the sun, which terminated his existence in two hours. He died in the sixty-ninth year of his age, and was buried in the church-yard at Rahway, upon which church he had bestowed numerous benefactions. The inscription which designates the grave of the patriot, comprehends a concise view of the character of him who rests within it:

Firm and decided as a patriot,
Zealous and faithful as a friend to the public,
He loved his country,
And adhered to her cause
In the darkest hours of her struggles
Against oppression.

ROBERT MORRIS.

THE Declaration of Independence was signed on behalf of the state of Pennsylvania by nine delegates, ROBERT MORRIS, BENJAMIN RUSH, BENJAMIN FRANKLIN, JOHN MORTON, GEORGE CLYMER, JAMES SMITH, GEORGE TAYLOR, JAMES WILSON, and GEORGE ROSS.

The first of these, ROBERT MORRIS, was born in Lancashire, in the month of January, 1733-4, O. S. of respectable parentage; his father being a merchant of some eminence in Liverpool, and extensively engaged in trade with the American colonies. Mr. Morris, having formed the design of emigrating, embarked for America, leaving his son under the care of his grandmother, to whom he was extremely attached. Having established himself at Oxford, on the river Treadhaven, Talbot county, Maryland, he sent to England for young Morris, who arrived at the age of thirteen years.

Mr. Morris did not enjoy the benefits of a classical education. He was placed under the tuition of one Annan, at that time one of the few teachers in Philadelphia, and his progress in learning does not appear to have been very rapid.

His father, at this period, carried on an extensive business, as agent for vessels from Liverpool. Having invited a large party to dine on board of one of these ships, he was returning to shore in the yawl, after the conclusion of the festivity, when the captain fired a salute in honour of the occasion, although in opposition to the expressed injunction of Mr. Morris. A wad from one of the guns unfortunately struck, and inflicted a severe wound on his arm, which mortified, and caused his death. His memory was so highly esteemed, that the gentlemen residing in the vicinity solemnly enjoined in their wills that his tomb should be preserved inviolate. His favourite dog could not be enticed from the body of his deceased master, and died upon the grave.

Mr. Morris was left an orphan at the age of fifteen years. He had previously been placed by his father with Mr. Charles Willing,



WASHINGTON'S MANSION
190 Market Street

Philadelphia

R. MORRIS' MANSION.
S.E. cor 6th & Market St

at that time one of the first merchants of Philadelphia, for the purpose of receiving a commercial education. Although deprived of the benefit of parental counsel, his clerkship was characterized by the greatest fidelity and attention, and he soon gained the implicit confidence of Mr. Willing.

His extensive mercantile knowledge, and close application to the discharge of his duties, attracted the friendship and confidence of Mr. Thomas Willing, who proposed to him, some time after the expiration of the term for which he had engaged himself, to form together a commercial connection. This partnership was entered into in the year 1754, and continued until 1793, embracing the long period of thirty-nine years. Mr. Morris was the acting partner, and previous to the commencement of the revolution, the house was engaged more extensively in commerce than any other in Philadelphia.

The unalterable resolution of Mr. Morris, with respect to his political course of conduct, appears to have been formed in the early part of the year 1775: the shedding of American blood in Massachusetts, for ever fixed the principles upon which his resplendent services in the darkest days of the revolution were founded, and extinguished the last glimmering of hope that the evils and miseries of war might yet be averted. On St. George's day, twenty-third April, 1775, about one hundred guests and members of the St. George's Society were assembled at the City Tavern in Philadelphia, to celebrate the anniversary of their tutelary saint. Mr. Morris was the presiding officer. Reconciliation and a change of ministers were the phantoms which had lulled and deluded the American community. About five o'clock in the afternoon, in the height of their festivity, when moderate hilarity alone had attended their libations, the news of the massacre at Lexington, which occurred four days previous, was communicated to the company. The change of scene was instantaneous and appalling: an electric shock could not have been more suddenly prostrating. The tables were immediately deserted, and the seats overturned. Mr. Morris, and a few members, among whom was Richard Peters, retained their seats, and viewed this extraordinary display in silent astonishment. When the fugitives had retreated, a solemn scene succeeded the merriment and gaiety which, a few moments before, had resounded through the hall. After feelingly deploring the awful event which separated them for ever from the British government; the small party that remained took leave of their patron saint, and pronounced a solemn requiem over the painted vapour,—*reconciliation*. Mr.

Morris, in unison with his associates, at that time avowed his irrevocable decision as to revolutionary measures, from which he never deviated.

The appointment of Mr. Morris, by the legislature of Pennsylvania, on the third of November, 1775, as one of the delegates to the second congress, was his first formal entrance into public life. Soon after he had assumed his seat in congress, he was added to the secret committee, (of which he was the chairman,) that had been formed, on the eighteenth of September, to contract for the importation of arms, ammunition and gunpowder. On the eleventh of December, he was appointed a member of the committee to devise ways and means of furnishing the colonies with a naval armament; and their report, embracing the expedience of augmenting the navy by the addition of five ships of 32, five of 28, and three of 24 guns, being adopted, a naval committee was formed, of which Mr. Morris was a member, with full powers to carry the plan into execution, with all possible expedition. In the beginning of 1776, he was conspicuous in the discussions which attended the regulation of trade, and the restrictions under which it ought to be placed. On the fifteenth of April, 1776, he was specially commissioned to negotiate bills of exchange, with a pledge of indemnity from congress should any loss arise from his responsibility as the endorser.* On the twentieth of July, he was re-elected a representative of the state of Pennsylvania.

When the approach of the enemy through New Jersey caused the removal of congress from Philadelphia to Baltimore, the national affairs wore a gloomy and disheartening aspect. In December, 1776, when congress retired from Philadelphia, a committee, consisting of Mr. Morris, Mr. Clymer, and Mr. Walton, was appointed, with extensive powers, to remain in that city, and execute all necessary and proper continental business. Being in daily expectation of the arrival of the enemy, Mr. Morris removed his family to the country, and resided with an intimate friend who had resolved, at every hazard, to remain in the city. At this time, he received a let-

* On the first of July he voted against the Declaration of Independence, and on the fourth, declined voting at all, considering the time premature and inappropriate. Shortly after this he wrote to the commissioners at Paris, "Our people knew not the hardship and calamities of war, when they so boldly dared Britain to arms." And to Gen. Gates, "The business of all America seems to be making constitutions. It is the fruits of a certain premature declaration, which you know I always opposed. My opposition was founded on the evil consequences I foresaw, and the present state of several of the colonies justifies my apprehensions."

ter from General Washington, who was then encamped with the army at the place now called New Hope, on the Delaware, in which it was stated, that while the enemy was accurately informed of all his movements, he was compelled, from the want of specie, to remain in complete ignorance of their designs, and that a certain sum specified, was absolutely necessary to the safety of the army, and to enable him to obtain such intelligence of the movements and precise position of the enemy on the opposite shore, as would authorize him to act offensively. This pressing application, and appeal to the feelings of Mr. Morris, which, from the urgency of the occasion, was despatched by a confidential messenger, was received at a time when compliance was almost hopeless, owing to the general flight of the citizens. He frequently adverted to the mental depression which he experienced on that trying occasion, and to the means he employed to relieve the necessities of the commander-in-chief. From the time he received the despatch until evening, he revolved deeply and gloomily in his mind, the means through which he might realize the expectations which had been formed from his patriotism and influence: his usual hour of retiring from the counting-room arrived, and as he was proceeding slowly and sorrowfully home, he accidentally met a gentleman of the society of Friends, with whom he was intimate, and who placed implicit confidence in his integrity. He inquired the news from Mr. Morris, who replied; "The most important news is, that I require a certain sum in specie, and that you must let me have it." His friend hesitated and mused for a moment—"Your security is to be my note and my honour," continued Mr. Morris.—"Robert, thou shalt have it," replied the friend; and this personal loan, causing a prompt and timely compliance with the demand, enabled General Washington to gain the signal victory over the hireling Hessians at Trenton. Such was the instrumentality of Robert Morris, in the victory of Trenton; and it may be truly remarked, that although his own brows were unadorned with the laurels of the warrior, it was his hand which crowned the heroes who triumphed on that day.

On the tenth of March, 1777, he was, a third time, appointed by the assembly of Pennsylvania to represent that state in congress, in conjunction with Benjamin Franklin, George Clymer, James Wilson, Daniel Roberdeau, and Jonathan B. Smith. During this year, the "secret committee" was dissolved, and succeeded in all its powers by the "committee of commerce," of which Mr. Morris was a prominent member. On the twenty-eighth of November, he was

selected, together with Mr. Gerry and Mr. Jones, to repair to the army, and in a private confidential consultation with the commander-in-chief, to consider the best and most practicable means for conducting a winter campaign with vigour and success, and, with the concurrence of General Washington, to direct every measure which circumstances might require for the promotion of the public service. He was frequently and actively engaged in managing the fiscal concerns of congress, a duty for which his capacity for business, and intimate knowledge of pecuniary transactions, rendered him peculiarly competent. On the twenty-seventh of August, 1778, he was appointed a member of the standing committee of finance. Besides the enthusiastic zeal which he manifested in the cause of his country, and the financial talents which he possessed, his commercial credit probably ranked higher than that of any other man in the community; and this credit he unhesitatingly devoted to the public service, whenever necessity required such an evidence of his patriotism and disinterestedness. These occasions were neither few in their number, nor trifling in their nature. Mr. Morris frequently obtained pecuniary as well as other supplies, which were most pressing required for the service, on his own responsibility, and apparently on his own account, when, from the known state of the public treasury, they could not have been procured by the government. Judge Peters, from his official station, possessed the most perfect knowledge of every military transaction, and of the influence of Mr. Morris in giving efficacy to enterprise. The personal friendship which subsisted between those active and enlightened patriots, and their constant co-operation in the great work of freedom, closely united them together; and it is by the pen of the latter statesman, that the particulars of the providential supply of lead for the army is afforded. "In 1779 or 1780, two of the most distressing years of the war, General Washington wrote to me a most alarming account of the prostrate condition of the military stores, and enjoined my immediate exertions to supply the deficiencies. There were no musket-cartridges but those in the men's boxes, and they were wet; of course, if attacked, a retreat, or a rout, was inevitable. We (the board of war) had exhausted all the lead accessible to us, having caused even the spouts of houses to be melted, and had offered, abortively, the equivalent in paper of two shillings specie per pound for lead. I went, in the evening of the day on which I received this letter, to a splendid entertainment, given by Don Juan Miralles, the Spanish minister. My heart was sad, but I had the

faculty of brightening my countenance, even under gloomy disasters; yet it seems *then* not sufficiently adroitly. Mr. Morris, who was one of the guests, and knew me well, discovered some casual traits of depression. He accosted me in his usual blunt and disengaged manner: 'I see some clouds passing across the sunny countenance you assume; what is the matter?' After some hesitation, I showed him the general's letter, which I had brought from the office, with the intention of placing it at home in a private cabinet. He played with my anxiety, which he did not relieve for some time. At length, however, with great and sincere delight, he called me aside, and told me that the Holkar privateer had just arrived at his wharf, with *ninety tons of lead*, which she had brought as ballast. It had been landed at Martinique, and stone ballast had supplied its place; but this had been put on shore, and the lead again taken in. 'You shall have my half of this fortunate supply; *there* are the owners of the other half' (indicating gentlemen in the apartment.) 'Yes, but I am already under heavy personal engagements, as guarantee for the department, to those, and other gentlemen.' 'Well,' rejoined Mr. Morris, 'they will take your assumption with my guarantee.' I, instantly, on these terms, secured the lead, left the entertainment, sent for the proper officers, and set more than one hundred people to work, during the night. Before morning, a supply of cartridges was ready, and sent off to the army. I could relate many more such occurrences. Thus did our affairs succeed, "*per varios casus, per tot discrimina rerum*;" and these *discrimina rerum* occurred so often, that we had frequently occasion feelingly to exclaim,

'Quod optanti divum promittere nemo
Auserat—Fors en! attulit ultro.'

Events, happy or adverse, succeeded each other so rapidly, that the present almost obliterated the past; at least the actual employment growing out of the present, often critical, arduous, and hazardous, blunted our recollection. We lived, in many periods of our struggle, by the day; and deemed ourselves happy, if the sun set upon us without misfortune."

Few public men have escaped the breath of slander. During the time that congress assembled at Yorktown, reflections were indulged by a member of that body, which tended to raise a suspicion of fraudulent proceedings to the detriment of the public, by the house of Willing, Morris, & Co. The established character of Mr. Laurens impresses the belief that his sole object in making these remarks

was to do justice; and this opinion is strengthened by his co-operation, however late, in the vindication of Mr. Morris. On the nineteenth of January, 1779, a committee of five was appointed to inquire into the facts set forth, in the accusatory papers which had been submitted to congress. They reported, and congress, therefore, unanimously agreed with the report, that the defence of Mr. Morris was full and explicit on every fact, circumstance, and question, stated in the charges against him, and supported by clear and satisfactory vouchers; that he had clearly and fully vindicated himself; and that in the execution of the powers committed to him by the secret committee, he had acted with fidelity and integrity, and an honourable zeal for the welfare of his country.—Similar aspersions were heaped upon him during the course of his financial career, which, when he deigned to notice them at all, were dissipated with equal facility and success.

In the year 1780, when the reverses in the south had produced general depression, and the increasing and clamorous wants of the army threatened its total dissolution, Mr. Morris, with a zeal guided by that sound discretion which turns expenditure to the best account, established a bank, in conjunction with many patriotic citizens of Philadelphia, the principal object of which was to supply the army with provisions and rum. The directors were authorized to borrow money on the credit of the bank, and to grant special notes bearing interest at six per cent. The credit of the members was to be employed, and their money advanced, if necessary, but no emoluments whatever were to be derived from the institution. Congress, while they expressed a high sense of this patriotic transaction, pledged the faith of the United States effectually to reimburse and indemnify the associators. Thus, at a time when the public credit was at its lowest ebb, and the public exigencies most pressing, an institution was erected on the credit and exertions of a few patriotic individuals, for the purpose of supplying, and transporting, to the army, three millions of rations, and three hundred hogsheads of rum; it continued until the ensuing year, when the Bank of North America was established.

The last re-election of Mr. Morris to congress, previous to the adoption of the Federal Constitution, occurred on the thirteenth of December, 1777.

On the twentieth of February, 1781, Robert Morris was unanimously elected superintendent of finance. To offer a succinct view of the Herculean task which this appointment imposed upon him, it

is necessary to state, that he was required to examine into the situation of the public debts, expenditures, and revenue ; to digest and report plans for improving and regulating the finances, and for establishing order and economy in the disbursement of the public money ; to direct the execution of all plans adopted by congress respecting revenue and expenditure ; to superintend the settlement of all public accounts ; to direct and control all persons employed in procuring supplies for the public service, and in the expenditure of public money ; to obtain accounts of all the issues of the specific supplies furnished by the several states ; to compel the payment of all moneys due to the United States, and in his official character, to prosecute in behalf of those states, for all delinquencies respecting the public revenue and expenditure ; and to report to congress the officers necessary for conducting the various branches of his department. By successive resolutions of congress, he was subsequently empowered to appoint and remove, at his pleasure, his assistants in his peculiar office ; as well as those persons, not immediately appointed by congress, as were officially intrusted with the expenditure of the public supplies ; to appoint agents to prosecute or defend for him in his official capacity ; to manage and dispose of the moneys granted by his Most Christian Majesty to the United States, and the specific supplies required from the several states ; to procure on contract all necessary supplies for the army, navy, artificers and prisoners of war ; to make provision for the support of the civil list ; to correspond with the foreign ministers of the United States upon subjects relating to his department ; and to take under his care and management, all loans and other moneys obtained in Europe, or elsewhere, for the use of the United States. He was also authorized to import and export goods, money, or other articles for account of the United States, to any extent he should deem useful to the public service. Such is a slight sketch of the duties which this office alone devolved on him, for it would be utterly impossible to enumerate the vast variety of measures in which he co-operated for the public benefit : while to trace him through all the acts of his financial administration, would involve the history of the last two years of the revolutionary war. When the exhausted credit of the government threatened the most alarming consequences ; when the army was utterly destitute of the necessary supplies of food and clothing ; when the military chest had been drained of its last dollar, and even the confidence of Washington was shaken ; Robert Morris, upon his own credit, and from his private resources, fur-

nished those pecuniary means, without which all the physical force of the country would have been in vain.

At this period, a deep gloom enveloped the prospects of America, the darkness of which may be imagined from the summary presented by Washington at the commencement of his *Military Journal*, on the first of May, 1781. "Instead of having magazines filled with provisions, we have a scanty pittance scattered here and there in the several states: Instead of having our arsenals well supplied with military stores, they are poorly provided, and the workmen all leaving them: Instead of having the various articles of field equipage ready to deliver, the quarter-master-general is but now applying to the several states (as the dernier resort) to provide these things for their troops respectively: Instead of having a regular system of transportation established upon credit, or funds in the quarter-master's hand to defray the contingent expenses of it, we have neither the one nor the other; and all that business, or a great part of it, being done by military impressment, we are daily and hourly oppressing the people, souring their tempers, and alienating their affections: Instead of having the regiments completed to the new establishments, scarce any state in the union has, at this hour, one eighth part of its quota in the field; and there is little prospect that I can see, of ever getting more than one half. In a word, instead of having every thing in readiness to take the field, we have nothing; and, instead of having the prospect of a glorious offensive campaign before us, we have a bewildered and gloomy prospect of a defensive one, unless we should receive a powerful aid of ships, land troops, and money, from our generous allies: and these at present are too contingent to build upon."

Such were the clouds which overshadowed the campaign of 1781; but they were dissipated by the resources and energy of Mr. Morris. Uniting great political talents with a degree of mercantile enterprise, information, and credit, seldom equalled in any country, and urged by the critical state of public affairs and the pressing wants of the army, he entered immediately on the duties of his office, without reference to the stipulation touching the prior arrangements of his mercantile affairs. The occasion required that he should bring his private credit in aid of the public resources, and pledge himself personally and extensively, for articles of the most absolute necessity, which could not be otherwise obtained. Condemning the system of violence and of legal fraud, which had too long been practised, as one which was calculated to defeat its own

object, he sought the gradual restoration of confidence, by the only means which could restore it,—a punctual and faithful compliance with the engagements he should make. Herculean as was this task, in the existing derangement of the American finances, he entered upon it with courage, and if not completely successful, certainly did more than could have been supposed practicable with the means placed in his hands. Incited by a penetrating and indefatigable mind, and supported by the confidence which his probity and punctuality, through the various grades of commercial pursuits, had established, he discarded, in this threatening conjuncture, considerations applying forcibly to his own reputation, and devoted his entire attention to the resuscitation of public credit. Promulgating his determination to meet every engagement with punctuality, he was sought with eagerness by all who had the means of supplying the public wants. The scene suddenly changed: faithfully performing his promise, the public deficiencies began to disappear, and military operations no longer were suspended by failure of the necessary means. Strong in his personal credit, and true to his engagements, the superintendent became every day stronger in the public confidence, and unassisted, except by a small portion of a small loan of six millions of livres tournois, granted by the court of Versailles to the United States, this individual citizen gave food and motion to the main army; proving by his conduct, that credit is the offspring of integrity, economy, system, and punctuality.

When Mr. Morris assumed the duties of his office, the treasury was more than two millions and a half of dollars in arrear; the greater part of this debt was of such a nature that the payment could neither be avoided nor delayed; and Dr. Franklin was therefore under the necessity of ordering back from Amsterdam, money which had been sent thither for the purpose of being shipped to America: had he not taken this step, the bills of exchange drawn by congress must have been protested, and the tottering credit of the government in Europe, would have been wholly prostrated. Public and private distress every where existed: the credit of the government was so far destroyed, as to form a foundation on which the enemy erected the most sanguine expectations of conquest: many public officers could not perform their duties, without payment of the arrears due from the treasury, and without immediate aid must have been imprisoned for debts which enabled them to live. The public treasury was reduced to so low an ebb, that some of the members of the board of war declared to Mr. Morris, they

had not the means of sending an express to the army. Starvation threatened the troops; and the paper bills of credit had so far depreciated, that it required a burdensome mass to pay for an article of clothing. The gigantic efforts of the financier, however, dissipated these appalling prospects with an almost miraculous rapidity. To him it was principally owing that the armies of America did not disband; and that congress, instead of yielding to an inevitable necessity, recovered the means, not only of sustaining the efforts of the enemy, but of resuming the offensive with vigour and success.

The establishment of the Bank of North America was one of the first, and most prominent, acts in the administration of Mr. Morris; and but for this institution, his plans of finance must have been totally frustrated. Previous to the war, he had laid the foundation of a bank, and established a credit in Europe for the purpose of carrying the scheme into execution. His design, however, was defeated by the revolution, and he now devoted to the benefit of his country, the knowledge that he had acquired of the principles of banking, and of the advantages resulting to a commercial community from a well-regulated bank, by enabling merchants, in cases of exigency, to anticipate their funds, and to take advantage of occasions which offered well-grounded schemes of speculation. On the seventeenth of May, he submitted to the consideration of congress, his plan for establishing a national bank, accompanied with explanatory observations. "Anticipation of taxes and funds," he remarked, "is all that ought to be expected from any system of paper credit: this seems as likely to rise into a fabric equal to the weight, as any I have yet seen, or thought of; and I submit whether it may not be necessary and proper, that congress make immediate application to the several states to invest them with the powers of incorporating a bank, and for prohibiting all other banks or bankers in these states, at least during the war." The capital of the bank was established at four hundred thousand dollars, in shares of four hundred dollars each, payable in gold or silver. Twelve directors were to manage the affairs of the institution, who were empowered, under certain restrictions, to increase the capital of the bank. It was to be incorporated by the government, and be subject to the inspection of the superintendent of finance, with the privilege, at all times, of access to the books and papers. Such were the bases and principal features of the establishment. The utility to be derived from it was that the notes of the bank, payable on demand, should be declared legal money for the payment of all duties and taxes in

each of the United States, and receivable into the public treasury as gold or silver. This necessary and beneficial institution received the full approbation of congress, on the twenty-sixth of May: it was resolved, with the dissenting voice of Massachusetts alone, that the subscribers should be incorporated as soon as the subscriptions were filled; that the several states should be requested to provide that no other banks, or bankers, should be established during the war; that the notes of the bank should be receivable in payment of all taxes, duties, and debts, due to the United States; and that the several state legislatures should be earnestly required to pass laws, making it felony to counterfeit the notes of the bank.

In consequence of these resolutions, the plan of the bank was published by Mr. Morris, with a suitable and urgent address to the public. "To ask the end," he observed, "which it is proposed to answer by this institution of a bank, is merely to call the public attention to the situation of our affairs. A depreciating paper currency has unhappily been the source of infinite private mischief, numberless frauds, and the greatest distress. The national calamities have moved with an equal pace, and the public credit has received the deepest injury. This is a circumstance so unusual in a republican government, that we may boldly affirm it cannot continue a moment after the several legislatures have determined to take those vigorous and effectual measures, to which the public voice now loudly commands their attention. In the mean time, the exigencies of the United States require an anticipation of our revenues; while, at the same time, there is not such confidence established as will call out, for that purpose, the funds of individual citizens. The use, then, of a bank, is to aid the government by their moneys and credit, for which they will have every proper reward and security; to gain from individuals that credit which property, abilities, and integrity, never fail to command; to supply the loss of that paper money, which becoming more and more useless, calls every day more loudly for its final redemption; and to give a new spring to commerce, in a moment when, by the removal of all restrictions, the citizens of America shall enjoy and possess that freedom for which they contend."

Mr. Morris, from motives of official duty, as well as the conviction of its utility, continued incessantly to promote the progress of this plan; but such was the public distress, and the gloomy prospect of public affairs, that, notwithstanding the zealous endeavours of individuals, the necessary sum was not subscribed until the year 1782

and it was some time after the business of the bank was fairly commenced, before the actual sum paid in by individual subscribers amounted to seventy thousand dollars. In the mean time the exertions of the financier were unremitting.

Mr. Morris, finding that it was impracticable to procure the whole amount of the capital from individual subscriptions, subscribed, on account of the United States, for stock to the amount of two hundred and fifty thousand dollars; and it was principally upon this fund, that the operations of the institution were commenced. Four hundred and fifty thousand dollars had been imported from France, and deposited in the bank, and he had determined, from the moment of its arrival, to subscribe for those shares which remained vacant; but one half the sum was exhausted by the public expenditures before the institution could be organized. At length, on the thirty-first of December, 1781, a charter of incorporation was granted by congress, limiting the capital to ten millions of dollars. On the same day, congress recommended to the several state legislatures to enact laws for facilitating the full operation of the institution; and on the seventh of January, 1782, the bank was opened, and individuals began to deposit their money. Mr. Morris seized this occasion to renew his solicitations to the several state governors, relative to the passage of laws for the protection and promotion of the institution, the advantages of which he displayed in inviting colours. "It will facilitate," said he, "the management of the finances of the United States. The several states may, when their respective necessities require, and the abilities of the bank will permit, derive occasional advantages and accommodation from it. It will afford to the individuals of all the states a medium for their intercourse with each other, and for the payment of taxes, equally safe and more convenient than the precious metals. It will have a tendency to increase both the internal and external commerce of North America, and undoubtedly will be infinitely useful to all the traders of every state in the Union; provided, as I have already said, it is conducted on the principles of equity, justice, prudence, and economy." On the first of April, 1782, the assembly of Pennsylvania agreed to, and passed, the state act of incorporation; Delaware pursued the same course, and other states enacted laws for the protection of the bank.

The country realized an extraordinary benefit from this institution, as it enabled Mr. Morris to use, by anticipation, the funds of the nation; a power of infinite value, when prudently and judiciously

exercised. The sudden restoration of public and private credit, which took place on the establishment of the bank, was an event as extraordinary in itself, as any domestic occurrence during the progress of the revolution. Its first operations were greatly assisted by the arrival of a large sum in specie, from Europe and the West Indies; and, although the subscriptions to the capital stock were not paid with punctuality, from the great scarcity of money, yet as the subscribers were generally men of property, and liable to the full amount of their subscriptions, the directors of the bank were encouraged to proceed in the business.

The aid which the institution afforded to the country, in a period of great gloom and distress, was very extensive, considering its limited capital. Mr. Morris, as before stated, subscribed two hundred and fifty thousand dollars in his official capacity; but the finances were so much exhausted, that, in the following December, the bank was obliged to release the United States from their subscription, to the amount of two hundred thousand dollars; the remaining fifty thousand having been sold, by the superintendent, to individuals in Holland.

On the twelfth of January, 1782, in less than two weeks after the bank was opened, the directors loaned to the United States,

	-	-	-	-	-	-	-	\$100,000
In the month of February following,	-	-	-	-	-	-	-	100,000
In the month of March following,	-	-	-	-	-	-	-	100,000
In the month of June following,	-	-	-	-	-	-	-	100,000
Making, together, the sum of	-	-	-	-	-	-	-	\$400,000

In May, 1792, the state of Pennsylvania being unable to pay its quota of the public contribution, the bank lent it the sum of eighty thousand dollars; so that with a capital of three hundred thousand dollars, the bank actually advanced, for the public service, within six months after its organization, the sum of four hundred and eighty thousand dollars; and this will appear more extraordinary when it is recollected, that the heavy losses of individuals by the depreciation of the continental money, were then fresh in the public recollection, and occasioned such a distrust of every kind of paper engagements, that the circulation of bank notes was very limited, and the bank could derive but little aid from them. These loans were not finally reimbursed until the first of January, 1784.

At the commencement of the year 1781, when the overwhelming distress of the army had driven congress, and the commander-in-

chief, almost to desperation, Mr. Morris, on his own private credit, supplied the suffering troops with several thousand barrels of flour. He thus prevented the design which had been contemplated by congress, of authorizing General Washington to seize all the provisions that could be found within twenty miles of his camp: the sanction of this procedure by congress would have proved extremely detrimental to the cause of the country; and it was avoided solely through the private credit and resources of the financier. In a letter to Thomas Lowrey, of New Jersey, on this subject, dated twenty-ninth of May, 1781, he makes the following remarks and assurances: "It seems that General Washington is now in the utmost necessity for some immediate supplies of flour, and I must either undertake to procure them, or the *laws of necessity must be put in force*, which I shall ever study to avoid and prevent. I must therefore request that you will immediately use your best skill, judgment, and industry, in purchasing, on the lowest terms you can, one thousand barrels of sweet, sound flour, and in sending it forward to camp in the most expeditious and least expensive manner that you can contrive. To obtain this flour readily and on good terms, I know you must pledge your private credit, and as I have not the money ready, although the means of raising it are in my power, I must also pledge myself to you, which I do most solemnly, as an officer of the public; but lest you should, like some others, believe more in private than in public credit, I hereby pledge myself to pay you the cost and charges of this flour in hard money." "I will enable you most honourably to fulfil your engagements. My character, utility, and the public good, are much more deeply concerned in doing so than yours is."—In a letter of the same date, addressed to Major-General Schuyler, the disinterestedness and purity of his exertions for the public benefit are equally apparent. In informing the commander-in-chief of these arrangements, he observes, that the distress of his army for want of bread had been made known to him by a committee of congress: "I found myself," he continues, "immediately impressed with the strongest desire to afford you relief. Not being prepared, in my official character, with funds or means of accomplishing the supplies you need, I have written to Major-General Schuyler, and to Thomas Lowrey, of New Jersey, requesting their immediate exertions to procure, upon their own credit, one thousand barrels of flour each, and to send the same forward in parcels, as fast as procured, to camp, deliverable to your excellency's order; and I have pledged myself to pay them in hard money, for

the costs and charges, within a month, six weeks, or two months. I shall make it a point to provide the money, being determined never to make an engagement that cannot be fulfilled; for if, by any means, I should fail in this respect, I will quit my office as useless from that moment."—Thus, by a liberal use of his private credit, he afforded food to, and restored order in, the army, at a period when starvation and mutiny stalked hand in hand throughout the ranks.

In the same year, the talents and integrity of Mr. Morris attracted an honourable mark of confidence from the legislature of Pennsylvania, by his appointment as the agent of the state, to meet the requisitions of congress. After having relieved the wants of the moment, by his private credit, Mr. Morris proposed, and undertook, to furnish all the specific requisitions made by congress on Pennsylvania, during the current year, on receiving, as a reimbursement, the taxes imposed by a law which had been recently enacted. On the twenty-fifth of June, the contract was agreed to by the assembly of the state, and on the sixth of July following, congress passed a resolution approving of the transaction, as having a tendency to promote the public service of the United States. Thus were supplies, which the government found itself incapable of furnishing, raised by an individual.

The services rendered by Mr. Morris to the southern army, under the command of General Greene, were as extensive as the embarrassed state of the finances would permit. It is stated by Marshall, that "the distresses of the southern army, like those of the north, were such that it was often difficult to keep them together. That he might relieve them when in the last extremity, and yet not diminish the exertions made to draw support from other sources, by creating an opinion that any supplies could be drawn from him, Mr. Morris employed an agent to attend the southern army as a volunteer, whose powers were unknown to General Greene. This agent was instructed to watch its situation, and whenever it appeared impossible for the general to extricate himself from his embarrassments, to furnish him, on his pledging the faith of the government for repayment, with a draft on the financier for such a sum as would relieve the urgency of the moment. Thus was Greene frequently rescued from impending ruin, by aids which appeared providential, and for which he could not account." In a letter to General Greene, dated the third of October, 1781, Mr. Morris thus unfolds the state of their finances. "To give you an idea of my situation as to money, I think I need only inform you that since I have been in

office, I have received the sum of seven hundred and fifty pounds, Pennsylvania money, from the treasury of this state, and that is in part payment of advances made for them. *This is all I have received from the funds of America.* It is true that Colonel Laurens has lately arrived, and brought with him a sum of money from France. (This occurred nearly eight months after his appointment.) And it is also true that I have made use of a very limited credit given me on France, by drawing bills of exchange; but both these resources taken together are vastly short of what is necessary. I have lost no occasion of showing to the several states their situation, but hitherto without success, and unless some unforeseen event turns up very speedily, it is impossible to say what may be the consequences. However, it is our business to hope all things: and that Providence, who has hitherto carried us through our difficulties, will, I trust, continue his protection." His solicitations to the governors of the states, whose defalcation absolutely rendered it impossible to relieve the necessities of the troops, were vehement and unceasing.

On the third of October, 1781, after describing the low state of the treasury, he observes, in a letter to General Greene, "your circumstances have long been arduous, but you have hitherto risen so superior to them, that we should be almost as much surprised now if you were not successful, as we formerly were at your successes. I wish I could contribute to render you more easy. As far as my abilities extend, I shall do it most cheerfully: but they, unfortunately, are very limited. Accept, I pray you, my good wishes, which are almost all I have to give." On the second of November, 1781, he uses the following language: "I hope it is unnecessary to make assurances of my disposition to render your situation both easy and respectable. I am sure it is unnecessary to remark, how inadequate the provisions have been, which the states have hitherto made: at least, it is unnecessary to you. Much less need I display the detail of expenditures which have been requisite for the accomplishment of that happy event which has taken place in Virginia. I have neither forgotten nor neglected your department. I have done the utmost to provide clothing, arms, accoutrements, medicines, hospital stores, &c. and I flatter myself you will derive, through the different departments, both benefit and relief from my exertions. *I have detained Captain Pierce a day, in order to make up, with infinite difficulty, one thousand pounds, Pennsylvania currency, in gold, which he is the bearer of, and which will, I hope, be agreeable and useful.* You have done so much with so little, that my wishes to increase your

activity have every possible stimulus. I hope soon to hear that you have gathered fresh laurels, and that you may wear them as long and as happily as they have been speedily and worthily acquired, is the earnest wish of, &c. &c."

In his letter of the tenth of June, 1782, Mr. Morris forcibly describes the situation to which he is reduced; a situation, struggling as he was in favour of his country against almost incredible difficulties, which entitles him to the warmest gratitude of the existing generation, and ought to have silenced the tongue of slander itself. "I can easily suppose that they (the army) are in want of money, because I well know that none has been sent for a long time past; but I did hope and expect that you would have had a sufficiency of clothing; and knowing, as I do, the expenditures which have been made for that purpose, I was both surprised and hurt to find your distresses so great, when I had flattered myself that they had, in this respect, been totally relieved. Your situation in that exhausted country, and the impossibility of sending you any aid from hence, while our coasts are infested so much by the enemy, will naturally account for those distresses which have arisen from the want or badness of food. I cannot conceive that even money would afford you any considerable relief, were it in my power to send you any, which it is not. I have long since taken measures to obtain salt, but whether they will be effectual God only knows. With respect to pay I have laid down a rule which I am determined not to break through: it is, never to be guilty of partial payments, on any account whatever. You may, therefore, rely that your army shall, in this respect, fare equally with the rest of our officers and soldiers. If the states will furnish me with money, most cheerfully will I dispense it to all who are entitled to receive it: but until they do, I must continue to be as I am, exposed to clamour from every quarter. I have hopes, but I have so often been disappointed, that I dare not cherish those hopes myself, nor convey them to, nor encourage them in, you. It is with the greatest truth I assure you that I am driven to the greatest shifts to find the smallest sums for the commonest purposes. Rely on it, my dear sir, that I have hitherto, and shall continue to give you, all the support which my means will possibly admit of." On the eighteenth of June, 1782, in a communication to a committee of congress, detailing the causes which prevented the supply of the southern army on contract, and which General Greene had been authorized to effect, if practicable, in Decemb r, 1781, the financier remarks that he had already done

every thing that his means would permit, to supply that army; and that, if he could command money, he would take care that they should be furnished with every thing necessary.* It may be observed, in exemplification of the expense and difficulty of procuring those supplies, that the cost of transporting flour alone was estimated at sixty pounds, Pennsylvania currency, per ton.—With respect to the bills drawn in 1783, by General Greene on Mr. Morris, the latter observes, in a letter of the sixteenth of May, “Before I close this letter, I must again repeat my solicitude on the score of your bills, which are coming in upon me so fast that the means of paying them must, I fear, be deficient;” and on the next day he advises him that it had been necessary to pay his draft for five hundred dollars out of his private fortune. The bills, however, at length so far exceeded the expectations of Mr. Morris, that he was unable to provide funds, and was consequently compelled, in August, 1783, to postpone their payment.

The campaign of 1781, which proved decisive of the long and doubtful contest, encircled the name of Robert Morris with living laurels which will for ever flourish. In the capture of Cornwallis, the energy, perseverance, and financial talents of that great man, united with the wisdom and bravery of Washington in deciding the fate of the union. The plan of the campaign of 1781, as agreed upon by the commander-in-chief and the French authorities, was to aim at the reduction of New York, the stronghold of the British; in this attack, the French army under Count Rochambeau, and the French fleets, under De Barras and De Grasse, were to co-operate. At that time, the American army lay at Phillipsburg on York island, waiting for the fleet under De Grasse, then momentarily expected from the West Indies. The *southern enterprise* was never contemplated until unexpectedly, and to his extreme surprise, General Washington was compelled to change the whole plan of operations, because the French admiral, on his arrival, broke his engagement to come into the bay of New York, and announced his intention, through the admiral commanding the squadron at Rhode Island, to enter and remain, *for a few weeks*, in the Chesapeake.

By a resolution of congress, of the thirty-first of July, 1781, Mr. Peters was directed, as a member of the board of war, to repair to head-quarters, with Mr. Morris, the superintendent of finance, in

* About this time, notwithstanding the scarcity of funds, he hired Thomas Paine for a future compensation in money, or an office, to write in favour of such measures as he (Mr. M.) should convince him were for the benefit of the country.

order to consult with the commander-in-chief on the subject of the arrangement and numbers of the army; the main object being to establish the mode, and quantity of supplies required for the operations of the campaign, which was known to them to be directed to the capture of New York. Mr. Morris and Mr. Peters immediately proceeded to camp, and arrived at head-quarters in the early part of August, where they had repeated conferences with the commander-in-chief on the subject of their mission, to which only a few confidential officers were admitted. The proposed attack on New York was almost the exclusive subject of discussion; and the expectation of the arrival of the French fleet in the bay was a frequent theme of discourse. No doubt whatever existed as to the consummation of this event, on which the most perfect reliance was placed: but the apprehension expressed by Count De Grasse, of danger to his heavy ships, should they enter the New York bay, and the avowal of his intention to sail for the Chesapeake, put at once an end to deliberation on the subject. This breach of a positive engagement produced an agitation in the high-minded and honourable American chief, which those who witnessed it "can never forget." One morning, at the beating of the *reville*, Mr. Morris and Mr. Peters were aroused from their slumbers by a message from head-quarters, requesting their immediate attendance. Somewhat surprised at the circumstance, they complied without delay, and found General Washington violently exclaiming against the breach of faith on the part of the French admiral, who had changed his destination, and informed him that he would proceed to Chesapeake bay, where he would co-operate in any plan formed for an enterprise in that quarter. After receiving this unwelcome communication, the commissioners returned to their tent, musing on the past scene, and lamenting the total subversion of the plan which they had been empowered to support. At the usual hour of breakfast, they returned to head-quarters, and found the general as calmly engaged in making out his notes of the supplies he should require, as if nothing extraordinary had happened: from the powerful resources of his mind, he had already planned, in a sudden and masterly manner, the course of his future operations. His first question was, "Well, what can you do for me *under this unexpected disappointment?*" Mr. Peters replied, "Every thing with *money*, without it nothing," and looked anxiously towards the financier. "I understand you," said Mr. Morris, "but I must know the amount you require." Before the hour of dinner, Mr. Peters having examined the returns of the com-

mander-in-chief, communicated the result. Mr. Morris, with his usual candour, informed the general that he had not any means whatever of furnishing the amount in money, but would be compelled to rely *solely on his credit*; and that the commander-in-chief could decide whether he considered it prudent to depend upon that credit, the efficacy of which it would be necessary for him to risk. Washington instantly observed, "The measure is inevitable; and, therefore, resolved on; and I must pursue it at all hazards." The expedition against Cornwallis having thus been determined on, Mr. Morris and Mr. Peters set out for Philadelphia, under an escort, through the shortest and most dangerous route. They were strictly enjoined by General Washington to keep the whole affair a profound secret; and so faithfully was this injunction observed, that the first intelligence received by congress of the movement of the army, was derived from the march of the troops through Philadelphia, on the third of September.

The necessary supplies of every thing required for this important and decisive enterprise were chiefly furnished by means of Mr. Morris' credit, to an immense amount, and Mr. Peters superintended their provision and preparation. From seventy to eighty battering cannon, and one hundred pieces of field artillery, were completely fitted and furnished, with attirail and ammunition, although, on the return of the committee to Philadelphia, there was not a field-carriage put together, and but a small quantity of fixed ammunition in the magazines: the train was progressively sent on in three or four weeks, to the great honour of the officers and men employed in that meritorious service. *All this, together with the expense of provision for, and pay of the troops, was accomplished on the personal credit of Robert Morris, who issued his notes to the amount of ONE MILLION FOUR HUNDRED THOUSAND DOLLARS, which were finally all paid.* Assistance was afforded by Virginia and other states, from the merit of which we mean not to detract; but, as there was no money in the chest of the war office, and the treasury of the United States was empty, the expedition never could have been operative and brought to a successful issue, had not, most fortunately, Mr. Morris' credit, superior exertions, and management, supplied the indispensable sinews of war,—the funds necessary to give effect to exertion. These facts are ascertained from Mr. Peters himself, within whose personal observation, or knowledge, they occurred.

In addition to the immense exertions of the financier to effect this movement, General Washington obtained a loan of specie from

the Count De Rochambeau. Mr. Morris managed this important negotiation, and made the proposition to the French minister, Luzern, who refused his assent in the most positive manner. But his persuasive talents, joined to the evident fact that the army would, without funds, be unable to move, and the opportune news of the arrival of De Grasse in the Chesapeake, finally prevailed.

The situation in which Mr. Morris found himself placed at this period, would have appalled a less resolute and comprehensive mind. It was not official duty which prompted his determination to support, at every hazard, the views of General Washington, because, with an empty treasury, and a vast load of debt, nothing could be reasonably demanded from him in that character. He acted as a patriot who had devoted himself to his country, and resolved, as a private individual, to effect an object upon which the liberties of that country depended, and which baffled the resources of United America. In the prosecution of this gigantic labour, he surmounted every obstacle which impeded his progress with a celerity and perseverance, as astonishing as they were successful. But his struggles were violent, and, at seasons, almost hopeless. "A very heavy demand," he says to General Schuyler, "was made upon me for the rapid movement: this demand was as urgent as it was great, and I was unable alike to resist or to answer it. By the greatest exertions, I have at length been able to comply with the general's views, but that compliance has exposed me, almost penniless, to answer engagements which cannot be violated." "I must struggle through these difficulties," he remarks, in a letter to Washington; "but the doing so requires that attention and time which ought to be bestowed on greater objects. Even the supplies of cattle for the main army, when purchased, were arrested on the road from want of funds to procure pasturage! The droves being placed in this situation in New Jersey, Mr. Morris thus addressed the governor of the state, relative to the means of moving them: "I know but two modes in which the object can be accomplished. The one is by the payment of money to the commissary for the purpose: but this, I fear, will not be in your power; I therefore only mention it as preferable to all others, if practicable. The other mode is, by granting warrants to impress pasturage." On the twentieth of September, 1781, he makes the ensuing observations to the president of Pennsylvania, which serve to convey some idea of the invaluable services, and disinterested sacrifices of Robert Morris: "The late movements of the army have so entirely drained me of money, that I have been

obliged to pledge my personal credit very deeply, in a variety of instances, besides borrowing money from my friends, and advancing, to promote the public service, *every shilling of my own.*" In a communication to the minister of France, soliciting further aid from his government, the financier justly remarks, that "the important operations now carrying on by his excellency General Washington, depend so materially on the performance of my engagements, that the most fatal consequences may ensue from any breach of them." It may, indeed, truly be said, that the success of the American arms depended wholly on Robert Morris, not as an officer of the American states, but as a private American citizen.

From the results which attended the official labours of Mr. Morris, it is fully established, that the objects of internal administration, though less brilliant and glorious, are the first source, and the firmest foundation, of warlike exploits. Having brought, by means of the Bank of North America, the capitals and credit of the stockholders to the support of public credit, the financier resolved to produce the same effect in his own name, and with his private credit. He accordingly threw into circulation, no small sum of obligations signed by himself, and payable at different terms, out of foreign subsidies, or even out of the revenues of the United States; and these notes circulated as cash amongst the merchants and shopkeepers. Although, however, in the course of time, these obligations had amounted to upwards of five hundred and eighty-one thousand dollars, they never depreciated, except a little towards the end of the war; so great was the confidence of the public in the good faith and punctuality of the financier. Thus, at the very epoch in which the credit of the government was almost entirely annihilated, and its bills nearly without value, that of a single individual was stable and universal.

To augment the difficulties experienced by the financier, the several states had persuaded themselves into the belief that their exertions were unequal, and each maintained the superiority of its own efforts. Each one claimed the merit of having done more than others, and each continued desirous of relaxing to an equality with the supposed deficiencies of its neighbours. Hence it followed, that they daily became more and more negligent, and a dangerous supineness pervaded the whole continent. Recommendations which, in the year 1775, would have roused all America to action, were suffered, in 1781, to lie neglected. Such was the inevitable consequence of this opinion: the settlement of former accounts being

considered as a thing forgotten, men naturally reasoned from them to those which were then present,—concluded that they would also drop into forgetfulness, and considered every thing not furnished as so much saved. The legislatures would not call forth the resources of their respective constituents; the public operations languished; the necessity of purchasing on credit enhanced the expense; the want of that credit compelled the use of force; the use of that force created offence; and the country was daily plunged more deeply in debt, and its revenue was more deeply anticipated.

The low state of public credit, from the want of solid funds to support it, had induced the United States in congress, to call for an impost of five per cent. on all goods imported, and on all prizes and prize goods, to be granted for the payment of the principal and interest of the debts contracted, or which might be contracted during the war. Some of the states complied with this demand. The two most southern states were in such disorder, that a compliance from them could not be reasonably expected, nor was it relied on; but Massachusetts, Rhode Island, New York, Delaware, Maryland, and North Carolina, delayed passing the necessary laws. On the seventh of July, 1781, an energetic appeal from the financier procured the compliance of the states of New York, Delaware, and North Carolina, and the accession of the others was confidently anticipated: this was of the last importance, as the impost could not be carried into effect without the concurrence of every state in the Union. Thus, instead of realizing funds from this source, the financier was compelled patiently to await the event. In the month of July, 1781, notwithstanding the pressing instances of Mr. Morris, very little hard money had been obtained from the states on the past requisitions of congress, and not more than one hundred thousand dollars during his whole administration. Some considerable specific supplies had, indeed, been drawn forth, and a large amount of paper money remained in his hands: from the former, the army had been principally maintained; but the paper money was of no possible use, although, from motives of policy, it was necessary to receive it in payment of taxes. The confidence of the people was so entirely lost, that no bills of credit whatever could at that moment have been made use of as money. "If I could buy any thing with it," Mr. Morris remarks, "I would not, until the last necessity; but it will buy nothing, so that it must be burnt as soon as it honestly can." In communicating this lamentable state of public affairs to Dr. Franklin, Mr. Morris makes the following observations: "The

picture I have already given of this country will not be pleasing to you. Truth bids me add, that it will admit of a higher colouring. But what else could be expected from us? A revolution—a war. The dissolution of government—the creating of it anew. Cruelty, rapine, and devastation in the midst of our very bowels. These, sir, are circumstances by no means favourable to finance. The wonder then is, that we have done so much, that we have borne so much, and the candid will add, that we have dared so much.”

In the beginning of the year 1782, Mr. Morris appears to have felt more severely than at any other period, the weight of the burden which rested upon him, and beneath which he, for a moment, tottered. The states of Massachusetts, Rhode Island, and Maryland, had not yet passed laws for the impost of five per cent.; and Virginia had lately suspended the operation of the act which they had enacted in relation to it. The public debt being unfunded and unprovided for, the interest could not be paid, and those who confided in the government in the hour of distress, were defrauded. To expect that, under such circumstances, others would confide in that government would have been folly; and to expect that foreigners would trust a government which had no credit with its own citizens, would have been madness. The whole weight, therefore, of the war, was necessarily borne in the present moment; and even the slightest anticipations of revenue were made on the personal credit of the financier. “I have laboured,” Mr. Morris eloquently remarked, “to establish a credit for my country, that when the period should arrive, (and I hoped it was not far distant,) in which I would lay down the burden now pressing upon me, my successor in office should have no other difficulties to struggle with, than those which necessarily attend an extensive and complicated administration. It is, therefore, with no common degree of anxiety and distress, that I see my wishes frustrated. I feel as an American for my country; as a public servant, for the interest and honour of those whom I serve; and as a man, that I cannot enjoy the ease and tranquillity I have sought for, through a life of continual care and unremitted labour. It is my duty to mention to you (congress) the fact, and to apprise you that, in such circumstances, our operations will continue to be the desultory efforts of individual power, rather than the combined exertion of political strength and firmness.”

At this juncture, too, the repeated assurances received almost daily from the French government, of its steady determination to grant no further pecuniary aids, left no room to doubt the firmness

of its determination. This was, indeed, a severe disappointment to Mr. Morris, who had formed not only hopes, but even expectations from that quarter. He believed that, when the brilliant successes of the last campaign should be known, and when it should also be known how much the United States were able to perform, and how necessary an aid of money was to call their power into action, the king of France would again have extended that relief which would be most beneficial to the common cause. Hopes of pecuniary aid from any other quarter were utterly delusive. It was in vain that expensive establishments were kept up to solicit succour from Spain, which appeared neither able nor willing to afford it; from Holland, which, as she was seeking a peace, could not wish to increase the causes of war; or from Russia, which seemed more inclined to crush than to support our cause. "Let us apply to borrow," said the financier, "wherever we may, our mouths will always be stopped by the one word—*security*. The states will not give revenue for the purpose, and the United States have nothing to give but a general national promise, of which their enemies loudly charge them with the violation."

Goaded by the clamours of the public creditors, and uniformly disappointed by the inattention of the state authorities to his most pressing entreaties, Mr. Morris at length assumed a style in his communications, at once monitory, dignified, and solemn. On the first of September, 1781, he thus endeavours to awaken the fears of the governor of Delaware: "I have pressed upon you as urgently as I could, the necessity of a compliance with the requisitions: the moment is now arrived when that compliance must be insisted on. If the legislature have neglected to pass the proper laws, or if there has been any neglect in the execution of those they have passed, the persons who are in fault must be responsible for the consequences to their suffering fellow citizens. It is needless to say, that a body of soldiers will not starve in the midst of a plentiful country."

Eleven months having elapsed after the recommendation of congress, imposing the impost of five per cent., and the states of Massachusetts, Rhode Island and Delaware not having complied with it, Mr. Morris, on the third of January, 1782, addressed a circular letter to those states, couched in a style of firm and dignified reproof, which ought to have proved irresistible. In a letter to the speaker of the house of assembly of Pennsylvania, dated the thirteenth of February, 1782, he gratefully acknowledges their zeal in the glorious cause, and their full and ready compliance with the

requisitions of congress: "It would give me more pleasure," he feelingly remarks, "that I can express, had this example been imitated by all. Had this been the case, new recommendations would long since have been made for other revenues, sufficient to fund all the public debts; and before the present moment, you, sir, might have had the inexpressible satisfaction of signing those laws which would have dried up the tears of many fatherless children, and removed from a thousand worthy bosoms, the heavy load of affliction." To the state of Virginia he wrote: "What, in the name of heaven, can be expected by the people of America, but absolute ruin, if they are so inattentive to the public service? Not until December will Virginia give any thing, you say, towards the service of the current year. How, then, are we to carry on those operations which are necessary? How is our country to be defended? How is our army to be supported? Is this what is meant by the solemn declaration to support with life and fortune the independence of the United States?"

Such were the immense difficulties which embarrassed the operations of the financier, and against which he triumphantly struggled. In addition to the unjustifiable lukewarmness and torpor of the states, the little money which he could command was required in a thousand different ways. The private and just claims of individuals which he was incessantly called upon to satisfy, not unfrequently drove him almost to the verge of despair. He was fully sensible of the distresses which they endured from being in advance for the public service, but it was not in his power properly to defray the necessary expenses of the war, much less to pay off past debts. "As to making advances," he said, "from my own private fortune, I have, before my acceptance of the office I now hold, expended much more in that way than ought to have fallen to any private citizen." His reply to these numerous applications was generally uniform and conclusive: he lamented the necessity of refusal, set forth the plain fact that until the several legislatures levied taxes for the payment of past debts, it was impossible for him to discharge them; and declared that the only thing in his power was, to place the debts on interest, the punctual payment of which he was endeavouring to secure: hence, he said, if his exertions were crowned with success, the public creditors would find themselves speedily relieved, as the funded debt of the country would be sought after by monied men, whenever they found that permanent revenues were established to secure the principal and interest. But arguments of this nature were little calculated to satisfy claimants, the justice of whose de-

mands was indisputable; and who, by reason of the governmental defalcation, were involved in embarrassments and distress. The payment of the principal of their claims was wholly impossible; and the security of it, together with the payment of the interest, entirely depended on the revenue arising from the impost law, which could not then be carried into effect, from the non-compliance of Rhode Island and Georgia to the relative recommendations of congress. The states of Massachusetts and Delaware had acceded to this measure, and Georgia had been so recently delivered from invasion, that the neglect there could only be imputed to the distracted state of the country. The obstinate refusal and objections of Rhode Island, however, continued in full force, and at length induced congress to adopt, on the tenth of October, 1782, a resolution, "that congress call upon the states of Rhode Island and Georgia for an immediate definitive answer, whether they will comply with the recommendation of congress to vest them with power to levy a duty of five per centum on all goods imported, and on prizes and prize goods."

Still no relief came, and still the clamours of the creditors continued to be directed to Mr. Morris, frequently accompanied with calumnies, invective, and even absolute insults, as shameful as they were unmerited. From these combined causes, the situation of his department, in the summer of 1782, was really deplorable. "I with difficulty am enabled," he remarks, in a letter to General Washington, "to perform my engagements, and am absolutely precluded from forming new ones. I have, therefore, been under the very disagreeable necessity of suffering the public service to stand still in more lines than one. I have been driven to the greatest shifts, and am at this moment unable to provide for the civil list."

At length, his other resources, when nearly exhausted, became useless by the total stagnation of trade, owing to the expectations of peace. In spite of all his efforts he became in arrears; "but," he remarks to Washington, on the ninth of September, 1782, "I am determined to continue my efforts to the last moment, although at present I really know not which way to turn myself." At length, weak and tottering as he was, the threatened storm burst over him; but his great mind repelled its fury, and triumphed over difficulties which might have driven the firmest to despair. At the close of September, the contractors declared explicitly, that they could no longer be responsible for supplying the troops, on the terms agreed on in their contracts. They demanded from the financier, assurances of in-

demnification at the close of the contract, for all damages sustained from the public inability to perform their engagements; and concluded with the cautionary declaration, that if they did not receive such assurances before the first of October, they would surrender their contracts. Mr. Morris, properly and decisively, refused to comply with these demands, because, from the moment those assurances were made, there would be no longer any restraint on the contractors. Negligence or profusion might have extended the damages to any amount, and his promise would have bound the public to abide by the pernicious consequences. The financier, consequently, from his comprehensive and wonderful resources, endeavoured to make immediate arrangements to meet the threatened danger; but such was the paucity of the returns from the states, that he was compelled to advise the proper authorities, that unless means could be devised to feed the army at a long credit, he must, himself, command the contractors to desist, and desire the commander-in-chief to subsist his troops by military collection. "I know well," he observed, "that the service must suffer; but I also know that an early suffering is better than a late ruin."

On the first of October, 1782, congress again required the several states to make speedy payment of their respective quotas into the public treasury, that they might be enabled thereby to pay the officers and soldiers of the army. In urging a compliance with this renewed requisition, Mr. Morris, incited by the sufferings of the troops, and indignant at the embarrassing and laborious situation in which he was himself placed, as the organ of the government, argued with unusual severity: "It is a mighty fashionable thing," he said, "to declaim on the virtue and sufferings of the army, and it is a very common thing for those very declaimers to evade, by one artifice or another, the payment of those taxes which alone can remove every source of complaint. Now, sir, it is a matter of perfect indifference by what subterfuge this evasion is effected, whether by voting against taxes, or, what is more usual, agreeing to them in the first instance, but taking care, in the second, to provide no competent means to compel a collection; which cunning device leaves the army at last, as a kind of pensionary upon the voluntary contributions of good whigs, and suffers those of a different complexion to skulk and screen themselves entirely from the weight and inconvenience." Truly, indeed, did Mr. Morris observe, "my credit has already been on the brink of ruin; if that goes, all is gone." To illustrate this fact, it is only necessary to state, that in October, 1782, he was

obliged to sell a portion of clothing, arrived for the use of the army, for the purpose of paying debts for needle-work, done by people in extreme indigence, amounting to twelve thousand dollars.

The embarrassments in the department of finance now continued daily to increase. Notwithstanding his peculiar urbanity and mildness of disposition, it was not in human nature to endure unruffled, a continued series of impatient, persecuting, and pressing demands, not unfrequently mingled with petulance, and sometimes, even with personal insult. "If," he remarks in one of these momentary excitements, but with justice, "the public creditors and their fellow citizens, instead of uttering complaints on every occasion, would exert themselves in paying their own, and influencing their neighbours to pay their taxes for the continental service, I should soon hope to see our affairs on such a footing as to silence all complaints; but whilst people are grasping at every farthing the public possess, and no measures are taken to replenish the fountain from whence payments spring, what can they expect?"

At length, worn down by excessive toil, harassed by incessant claims which he could not satisfy, and subjected to hopeless mortifications and embarrassments from the defalcation of revenue, he resolved to abandon a situation in which he could be no longer useful, before his own honour and credit became entangled in the labyrinth, into which state prejudices laboured to plunge the nation, and from which he had, till that period, successfully preserved it. On the twenty-fourth of January, 1783, he advised the president of congress, that as nothing but the public danger could have induced him to accept the office, so he had determined to hold it until the danger was past, or else meet his ruin in the common wreck; that under greater difficulties than were apprehended by the most timid, and with less support than was expected by the least sanguine, the generous confidence of the public had accomplished more than he had presumed to hope; that his attention to the public debts arose from the conviction that funding them on solid revenues, was the last essential work of our glorious revolution, the accomplishment of which was among the objects nearest his heart, and to effect which, he would continue to sacrifice time, property, and domestic comfort; that many late circumstances had so far lessened the apprehensions from the common enemy, that his original motives had almost ceased to operate; but that other circumstances had postponed the establishment of public credit in such a manner, that he feared it would never be made; and that to increase the national

debts while the prospect of paying them was diminishing, did not consist with his ideas of integrity. Hence, he announced his intention to quit a station which had become utterly insupportable. But, lest the public measures might be deranged by any precipitation, he consented to serve until the end of May; with the understanding that, if effectual measures were not taken by that time to make permanent provision for the public debts of every kind, congress would be pleased to appoint some other person to be the superintendent of finance. "I should be unworthy," he said, "of the confidence reposed in me by my fellow citizens, if I did not explicitly declare, that I will never be the minister of injustice."^{*}

The letter to congress conveying this determination produced considerable agitation, as in case of Mr. Morris' resignation, no other individual could be found so capable of conducting the affairs of the department, whether it regarded his political sagacity, his financial knowledge, or private resources. An injunction of secrecy was immediately passed; but Mr. Morris, after two months' delay, addressed a letter to the house, stating that a number of those who had contracted engagements with him, placed a personal reliance on him for the fulfilment of them; that as the time was fast approaching when he must quit the office, it was proper for him to make the necessary preparations, and give this due and seasonable information, to those who had confided in him. He therefore prayed that the injunction of secrecy might be removed. On the twenty-sixth of February, this petition was granted, and a committee appointed to which his letters were referred. On the fifth of March, this committee was superseded by another, consisting of five members, appointed to devise the proper measures to be taken, in consequence of the letters from the superintendent of finance.

Nothing would have induced Mr. Morris to take this step, but a painful conviction that the situation of those to whom the public

^{*} This communication produced a strong sensation in congress: Mr. Lee and Mr. Bland said that a man who had published to the world such a picture of our character, and the finances, was unfit to have charge of them. Colonel Hamilton (who was afterwards appointed Secretary of the Treasury, through Mr. Morris' influence) vindicated his conduct, and succeeded in getting from congress a vote of approval of his conduct. General Washington wrote to Colonel Hamilton, "Some of the officers are beginning to entertain suspicions that congress are going to sell them as mere puppets to establish continental funds, and that rather than not succeed in this measure, they will sacrifice the army and all its interests: the financier is suspected of being at the bottom of this scheme." Colonel Hamilton in reply, vindicated Mr. Morris' conduct, and said, "The old leaven of Lee and Deane is at this time working against Mr. Morris."

were indebted was desperate. In a letter to General Washington, dated the twenty-seventh of February, he says that he sincerely believed that a great majority of the members of congress wish to do justice, but would not adopt the necessary measures, because they were afraid of offending their states. He strongly sympathized with the army and the situation of its commander. "I did flatter myself," he observed, "that I should have been able to present them that justice to which they are entitled, and in the mean time, I laboured to make their situation as tolerable as circumstances would permit. My thanks are due to all our officers, for I know that unwearied pains have been taken to give them disagreeable impressions; and I am, therefore, doubly indebted for the just sentiments which, amid so many misrepresentations, they have constantly entertained. I hope my successor will be more fortunate than I have been, and that our glorious revolution may be crowned with those acts of justice, without which the greatest human glory is but the shadow of a shade." To General Greene he remarked, that the step he was about to take was inconceivably painful to him, but that there was no alternative. While it was asserted on all hands that the national debts ought to be paid, it was evident that no efficient measures would be adopted for that purpose. "I felt," he said, "the consequences of my resignation on public credit; I felt the probable derangement of our affairs; I felt the difficulties my successor would have to encounter; but still I felt, above all things, that it was a duty to be honest. This first and highest principle has been obeyed. I do not hold myself answerable for consequences. These are to be attributed to the opposers of just measures, let their rank and station be what it may. I expect much obloquy for my conduct, because this is what I know to be the reward for any conduct whatever, which is right. To the slander I am indifferent, and still more indifferent about the attempts to question the services I have rendered."

Among the accusations publicly preferred against Mr. Morris, was the destruction of that public credit, which, unsupported by him, would long before have been annihilated. Men totally ignorant of the state of affairs put on the conduct, which severe necessity compelled him to pursue, the most malicious misconstructions, and affecting an intimate knowledge of things, charged him with the ruin of public credit, and interpreted the terms of his resignation into reflections upon congress. On the very day, however, on which he was publicly charged with these offences, despatches arrived from

Europe conveying the intelligence that the credit of congress was at an end.

After repeated conferences with a committee of congress, Mr. Morris was induced to continue in office, under the express stipulation, that his duties were to be limited to the particular object of fulfilling his existing engagements, and those which the necessity of affairs might compel him to form; and congress, relieved by this determination, resolved, on the second of May, 1783, that he should receive their firm support towards completing his engagements.

The spring of 1784 found the finances in a still more miserable condition. A large sum of bills drawn for account of the United States, on the credit of a loan in Holland, had been protested for non-acceptance, and the little show of credit that had been supported abroad was now totally gone. It was the deepest and sincerest wish of Mr. Morris, to have been the instrument towards establishing the affairs of America upon a solid basis, and almost every effort within the scope of human power had been exerted, to effect that object. At such a crisis, he foresaw that without a miracle the country would be plunged into a state of inconceivable confusion and distress. At this period, unsupported and persecuted, he formed the intention of peremptorily resigning his station. "I think it necessary," he remarked to a friend, "for America that I should quit my office, even admitting the justice of those flattering expressions contained in your letter. I hope that persons will be found as honest and more capable; but be that as it may, the people will, I hope, more easily believe, when they hear truth from some other quarter. If not, they will, at least, feel the consequences which, though so often predicted, have not been provided against." On the twenty-fifth of March, he remarked, "my successors will perhaps be believed when they describe our situation, and at least that voice of party, which has hitherto opposed the public service *on private principles*, will be silenced." On the sixth of May, he requested congress to make eventual arrangements for administering the finances, and to appoint a committee to inspect the conduct of the department. Congress accordingly appointed a board consisting of three commissioners to superintend the treasury of the United States, after a well merited eulogium on the very great advantages derived from the arrangement and management of their finances. The appointment of the board of treasury was, in itself a flattering token of his powerful abilities, which had so long been

able to support and conduct a department which no single man now seemed capable of performing.

Mr. Morris, however, still continued to preside over the treasury, and make the final arrangements for his retirement. As the period appointed by congress, as the termination of his official labours, approached, he became extremely anxious to impress on the public mind the undoubted fulfilment of his engagements, and the unimpaired value of his notes. Accordingly, on the eleventh of October, he issued a public notice, declaring that he had taken measures to provide for the payment of his various engagements on behalf of the United States, and particularly for such of his notes as were in circulation, and that, although he should not be in office, yet those notes would all be paid at maturity. For such payment he *pledged himself personally* to the holders, and therefore requested, that, if any attempts should be made to obtain them, by any suggestion, at less than the specified value, such attempts might be defeated. On the first day of November, 1784, Mr. Morris finally resigned his official duties, and, after an arduous administration, returned to the source from which it was derived the commission which he had so honourably and perseveringly borne. In rendering an account of his stewardship, he published an address to the inhabitants of the United States, which, together with the comprehensive details of his mode of managing the finances, ought to be incorporated in the course of the historical education of American youth. His concluding words were written in the true spirit of political foresight, and were only rendered nugatory by the establishment of the Federal Constitution. "The inhabitant of a little hamlet may feel pride in the sense of separate independence. But if there be not one government, which can draw forth and direct the efforts, the combined efforts of United America, our independence is but a name, our freedom a shadow, and our dignity a dream. To you, fellow citizens, these sentiments are addressed by one who has felt their force. In descending from that eminence on which your representatives had placed him, he avoids the shafts which calumny had aimed. He has no longer, therefore, any *personal* interest in those jealousies and distrusts which have embarrassed his administration, and may prove your ruin. He no longer asks confidence in himself. But it is his duty to declare his sincere opinion, that if you will not repose in the members of that general federal government which you yourselves have chosen, that confidence and those powers, which are necessary, you must, and you will, (in no very distant

period,) become the dupes of European politics. What may be the final event, time only can discover; but the probability is, that, first divided, then governed, our children may lament, in chains, the folly of their fathers. May heaven avert these evils, and endue us with wisdom so to act, as may best promote the present and future peace, prosperity, and happiness, of our country." On the retirement of this eminent man from office, it was affirmed by two members of the Massachusetts delegation, "that it cost congress at the rate of eighteen millions per annum, hard dollars, to carry on the war, till he was appointed financier, and then it cost them but about four millions."

In addition to the arduous duties already imposed on Mr. Morris congress resolved, on the seventh of September, 1781, that until an agent of marine should be appointed, all the duties, powers, and authority, assigned to that office, should devolve upon, and be executed by the superintendent of finance. This additional burthen was extremely disagreeable to Mr. Morris: "I could have wished," he observed, "that this task had fallen to the lot of some other person. I could have wished to bestow on this subject an attention undissipated by other cares. But it is now some time since I have learned to sacrifice to the public service, my ease, my wishes, and my inclinations." No agent, however, being appointed, he continued to perform the duties of this office, and regulate the affairs of our unfortunate navy, until the close of the year 1784.

No individual, no public body, did more than Mr. Morris, to extricate the country from pecuniary embarrassments. But such exertions are not blazoned with the brilliant exploits of conquerors and heroes, which illuminate the annals of a country. It has been shown, however, that the operations of the machinery which guided the war of the revolution, would often have stood still, had not Morris been principally instrumental in furnishing the moving power, after all preceding means had perished. It has been well written, that such important services rendered to this country, while they entitle Mr. Morris to universal admiration, should, at the same time, have secured him some distinguished testimony of public gratitude. As he richly merited, so ought he to have enjoyed, in old age, the uninterrupted blessings of peace and happiness. But at the conclusion of the war, he was abandoned by those propitious fortunes which seemed attendant on all his prior enterprises. He had successfully husbanded the funds of the public, but vast and ruinous speculation totally prostrated his own pecuniary concerns.

The assembly of Pennsylvania having, in 1785, annulled the charter of the Bank of North America, which, under the fostering care of Mr. Morris, had so largely contributed to the support of the war, it was resolved to send the most influential delegates from the city of Philadelphia, for the purpose, if practicable, of obtaining its renewal, and thereby relieve a great proportion of the stockholders, comprising a very helpless portion of our citizens, whose comfortable support depended on the continuance of the institution. For this express purpose, Mr. Morris, ever ready to devote himself to the public good, consented, in 1786, to become a candidate, in conjunction with Mr. Fitzsimmons and Mr. Clymer. The real cause of the measure which had been adopted by the preceding legislature, was ascribed to the continuance of the same party spirit which had been so violently opposed to Mr. Morris and his friends, during his financial administration. The debates on the occasion excited great interest among all classes of society. The argumentative force and eloquence of Mr. Morris would have produced conviction in the mind of any man, not previously determined, if possible, to destroy the bank, and not abandoned to the government of party prejudice. The question to renew the charter was lost by a majority of thirteen; but the exertions of the friends of the institution were, in the succeeding legislature, crowned with success.

In the following year, Mr. Morris was elected a member of the memorable convention which framed the Federal Constitution;—a convention constituting a body of political learning and virtue, from which alone could have emanated the never-dying document, that is destined to preserve and perpetuate the prosperity of the country.*

On the first of October, 1788, Mr. Morris received a renewed mark of the high confidence which he continued to enjoy among his fellow citizens: he was appointed, by the general assembly, to represent the state of Pennsylvania in the first senate of the United States, that assembled at New York, after the ratification of the federal compact.

Although Mr. Morris received no other than a common English education, he possessed superior talents, which fostered by care, and ripened by experience, compensated this early defect, and rendered their possessor as conspicuous in the common intercourse of society,

* Mr. Morris seems to have been in favour of a much stronger form of government than was adopted. He moved in the convention, that the senators should be appointed for life, and was in favour of all offices being more permanent than they were made by the convention.

as he was in the cabinet. His conversation was cheerful, easy, and interesting; but not often of a literary cast, owing to the want of a classical education. He was, however, by no means deficient in general reading. With a mind at once acute and penetrating, he was extremely well versed in what are called the affairs of the world, both public and private. His political knowledge was very extensive, and it was almost all gained from practical sources, and social intercourse. His public speaking was fluent, correct, and impressive. He was not a frequent, and was, therefore, a more welcome speaker; being always listened to with profound attention. Mr. Morris wrote with ease and perspicuity, both in business and friendly correspondence, and his familiar notes and letters were frequently pleasant and amusing.

As a merchant, his enterprise and credit were equalled only by his unimpeachable integrity. It has been stated, that Mr. Morris enriched himself greatly by the war, and possessed a great variety of means for acquiring wealth; that his connections with Mr. Holker, then consul-general of France at Philadelphia, and the exclusive permission to ship cargoes of flour and other produce in the time of general embargoes, were to him the sources of immense profit; and that his situation gave him many similar opportunities, of which his capital, his credit, and abilities, always enabled him to take advantage. "What purchases of tobacco," writes M. De Chastellux, "what profits of every kind, might not a man of Mr. Morris' abilities make, with such powerful advantages?" All these vile insinuations are totally false. Mr. Morris never engaged in speculation during his continuance in office; he never enjoyed any commercial monopoly or privileges on his own account, although, as it has been already shown, he incurred the odium by covering the operations of congress; and, so far from enriching himself by the advantages of his station, it was in that station where the seeds of his pecuniary destruction were sown. It not only actually impoverished him at the moment, but the vastness of his money transactions, and the almost boundless scope of his financial duties, gave to his mind a correspondent tone, which, no doubt, mainly concurred in leading him from the proper pursuits of commerce into a train of enormous, unmanageable, and ruinous land speculations.

At the conclusion of the war, he was among the first who engaged in the East India and China trade, which by an increase, as astonishing as it is unexampled, has now become a lucrative branch of revenue and commerce. In the spring of 1784, he despatched

to China, the ship *Empress*, Captain Green, from New York to Canton, being the first American vessel that ever appeared in that port. He also made the first attempt to effect what is called an "out of season" passage to China: by going round the south cape of New Holland, thus avoiding the periodical winds prevalent at certain periods in the China sea.

Although active in the acquisition of wealth as a merchant, no one more freely parted with his gain, for public or private purposes of a meritorious nature, whether to support the credit of the government, to promote objects of humanity, or local improvement, the welfare of meritorious individuals in society, or a faithful commercial servant. The prime of his life was engaged in discharging the most important civil trusts to his country, that could possibly fall to the lot of man; and millions passed through his hands, without the smallest tenable insinuation against his correctness, amidst "defaulters of unaccounted thousands."

Notwithstanding his numerous engagements, as a public and private character, Mr. Morris eminently fulfilled all those private duties necessarily imposed upon him by his high standing in society. His house was the seat of elegant and unostentatious hospitality, and open, for nearly half a century, to all the strangers, in good society, who visited Philadelphia, either on commercial, public, or private affairs: it may not be exaggeration to assert, that during a certain period, it principally depended on him to do the honours of the city. This hospitality was conspicuous and cordial, without the slightest tinge of ostentation. His entertainments, when in prosperity, were always elegant and often splendid, and his capacity to preside over, and give a zest to the pleasures of the table, was remarkable. He possessed a peculiar facility in running off appropriate volunteer sentiments, at convivial meetings, which always embraced point and applicability; but he had no faculty for the sudden scintillations of wit. His habits were temperate, and he never suffered conviviality to interfere with the transaction of business. He is said to have been the first individual who introduced the luxuries of hot-houses and ice-houses into the United States.

He was remarkable for his domestic habits; and in his intercourse with his family and friends, and indeed with general society, no one made greater exertions to do kind offices. His great cheerfulness and benevolence attracted the esteem of a numerous circle of acquaintance, and the veneration of the people. Independent in his principles and conduct, he never courted the countenance of living

man. Warmly devoted to his friends, he was almost idolized by them, but especially by those who were particularly dear to him—Alexander Hamilton and Gouverneur Morris. Whenever Washington came to Philadelphia, his first visit was to Robert Morris, now surrounded by the chains which he had assisted the hero to burst asunder.

In all his misfortunes, he did not utter a complaint, notwithstanding the ingratitude of his contemporaries. He was, however, compelled to refrain from walking the streets, being continually followed by a grateful crowd, consisting of the *middle and lower* classes of the people.

His unfortunate scheme of land speculations, which embittered an old age that ought to have been surrounded with all the ease and happiness that earthly gratitude could bestow, was a frenzy which totally transformed his character. The mania of engrossing lands, under the fanciful idea that Europe would pour out its numbers and treasures into our wilderness, was not confined to him; although it proved more fatal to him than to others.*

Fatigued with the political cares, which, from the time of his election to congress under the federal constitution, had so completely engrossed his mind, he was now anxious to retire to the relaxation of private life. His refusal to accept the situation of secretary of the treasury, offered to him by Washington, proves how little his patriotism was tainted with ambition. Being requested to designate a gentleman for that office, he named Colonel Hamilton. General Washington expressed considerable surprise at this selection, not being aware of the relative qualifications of Mr. Hamilton; but Mr. Morris declaring his own personal knowledge of his entire competency, he was appointed to that important post, and realized, in the fullest and most distinguished manner, the expectations of his friends.

* It was probably a passion, common to merchants, for amassing wealth, and a habit of engaging in extensive speculations acquired by wielding, at will, the revenues of a nation, more than a passion for engrossing acres, which led him on his mad career of extravagance. He had, some time previous to this, through the agency of General Washington purchased from the Six Nations of Indians, a domain on the Genesee River, which would have sufficed for twenty German princes, and commenced the erection of a palace in Philadelphia, which would have required more than the revenue of the United States to complete, furnish, and occupy; and would, when finished, have compared with the palaces of the Venitian merchant princes, as a superb mansion to a *log cabin*;—and all this at the same time that he was selling as great an amount of his notes, as could in any way be disposed of at twenty cents in the dollar, or less when that could not be obtained. It all ended, as was inevitable, in the utter ruin of more than his fortune.

Mr. Morris was a large man, and very simple in his manners, which were gentlemanly, though not highly polished, but free from the least tincture of vulgarity. He possessed a fine, open, and benevolent countenance, but his features were strong, and when engaged in deep meditation, they appeared austere, but not morose. Under misfortunes of the greatest magnitude, and in times of the severest trials, he never suffered the slightest tinge of melancholy to overshadow his countenance: the features of few individuals, among whom was General Washington, were more conspicuously brightened when lightened up by pleasantry; but misfortune or success had little agency in the change.

On the second of March, 1769, he was married to Miss Mary White, sister of Bishop White, a lady of exemplary constancy and virtue, and to whom he was most affectionately attached. He was, for a long time, deplorably and frequently afflicted with a constitutional asthma. The formation of his chest indicated a strong tendency to this terrifying malady. Exercise at the pump was the specific which he resorted to, and he often laboured as though he were assisting to save a sinking vessel. He, however, by this means, frequently obtained relief from violent paroxysms in a few moments.

At length, worn down by public labour, and private misfortunes, he rapidly approached the mansion appointed for all living; the lamp of life glimmered in its socket; and that great and good man sunk into the tomb, on the eighth of May, 1806, in the seventy-third year of his age.

BENJAMIN RUSH.

BENJAMIN RUSH was born in the township of Byberry, about twelve miles to the north-east of Philadelphia, on the twenty-fourth of December, 1745. Having lost his father at six years of age, the care of his education and that of a younger brother devolved solely upon his excellent mother, whose vigilance and activity appear to have amply compensated his early deprivation, or to have left at least no reason of interest to deplore it.

The first care of the widowed mother of young Rush was to procure him the means of a liberal education; to which the limited resources of their farm being inadequate, she removed to the city of Philadelphia, and there entering into some commercial business, was enabled, by prudent management and rigid economy, to succeed in her generous undertaking. Having taught him herself the elements of the English language, she sent him at the age of nine years to the grammar school of Nottingham, in Maryland, at that time under the direction of her sister's husband, the Rev. Dr. Findley, afterwards president of the college of Princeton in New Jersey.

Having finished his preparatory course of the dead languages, he was removed, at the age of fourteen, to Princeton College, then under the direction of the Rev. Dr. Davies, much lauded in his days for great piety and masterly eloquence. He completed his collegiate studies in this seminary, in the month of September, 1766, and received a degree of Bachelor of Arts, at about sixteen years of age.

In 1766, having passed through the elementary grades of medicine with such opportunities as his country afforded him, and aspiring to still greater advantages, he went to Edinburgh, at that time the most noted medical school of Europe, where, after two years' attendance upon the public lectures and hospitals, he obtained the degree of Doctor of Medicine. On this occasion his thesis, *de coctione ciborum in ventriculo*, according to the usage of the place, was presented and defended in the Latin language. The experiments made by



"SHIPPEN MANSION" RES. OF DR. B. RUSH,
 at the time of his death.
 N. 1001. Second Street, Philad.

him, in proof of his arguments, were extremely bold and adventurous. His reasoning itself displayed abilities, rare even among the pupils of that celebrated school. The style was correct and elegant; Dr. Ramsay, who was among the best classical scholars of our country, and who knew Dr. Rush well, says of this thesis, that it was "written in classical Latin;" and adds, "I have reason to believe without the help of a *grinder*, for it bears the characteristic marks of the peculiar style of its author."

During his residence at Edinburgh, Dr. Rush was commissioned to negotiate with Dr. Witherspoon of Paisley, in Scotland, his acceptance of the presidency of Princeton College: he had declined this office, to which he had been appointed by the trustees, and it is in some degree to the address of Dr. Rush, that the accomplishment of this event is ascribed; an event which procured him an invaluable friend throughout life, conferred honour upon the seminary to which he owed his instruction, and contributed in no small degree to the advancement of the literature and science of our country.

From Edinburgh Dr. Rush visited London, where he passed the winter of 1768, in attendance upon the hospitals and medical lectures of that metropolis. The succeeding summer he spent with great advantage in Paris, and returned in the autumn of 1769 to his native country.

Thus qualified, he fixed his residence in the city of Philadelphia, and entered upon the career of his profession; in which he had to encounter, at the outset, a competition with physicians of a long established reputation. By the affability of his manners, he was soon considered in Philadelphia as the ornament and delight of all the companies he frequented, and was regarded with extreme partiality and admiration; all which contributed greatly to his professional reputation and success. But that which is said more especially to have influenced the public opinion in his favour, was the affectionate and disinterested zeal, which, on all occasions, he manifested for the welfare of his patients; cheering their spirits with sprightly conversation; or soothing their apprehensions; and visiting, with indiscriminate attention, the palace of opulence and the hut of poverty. But notwithstanding this gentleness of manner, Dr. Rush was not the less distinguished for boldness and intrepidity of experiment. "His mildness to his patients," says one of his biographers, "was in no case extended to the diseases he had to combat. To these he was stern, inexorable, and deadly."

The prosperous course of Dr. Rush's practice was not interrupted by any memorable event, nor diversified by any adventure very worthy of relation, until the breaking out of the yellow fever in Philadelphia in 1793, which exhibits the most busy scene of his professional life, and one in which he acquired his most conspicuous reputation. This disease had appeared in Philadelphia in 1762, and now returned after a lapse of thirty-one years, with unexampled malignity. War and famine have seldom presented a scene of more complicated horror. The city presented every where the image of desolation. For nearly two months, scarcely an individual was seen upon the streets, unless engaged in some melancholy office; seeking aid for the sick, or conducting the dead to their place of interment; and no other sound but that of the hearse, or the vehicle of the physician, interrupted the frightful solitude. In a populous city, where men are accustomed to witness the bustle of multitudes and the activities of business, the absence of such objects necessarily fills the mind with the most painful or melancholy sensations.

The magnanimous conduct of Dr. Rush in this emergency, his devotion to his profession, and total disregard of personal safety, have entitled him to the unceasing gratitude and admiration of his countrymen. To use the words of the celebrated Zimmerman, "*sa conduite a merit  que non seulement la ville de Philadelphie, mais que l'humanit  entire lui  l ve une statue.*"

During the fiercest rage of the disease, nearly all the physicians disappeared from the city; either having sought safety by flight into the country, or having perished in the indiscriminate mortality. At one time, when not less than six thousand persons were prostrate in the disease, three practitioners only remained to supply their necessities. The labours of Rush, in this emergency, were without remission, and he certainly accomplished difficulties, and sustained fatigues, to which the powers of life, under ordinary excitement, or with ordinary courage, had proved wholly inadequate. From the eighth to the fifteenth of September, he visited and prescribed for about one hundred and twenty patients per day. For several weeks his house, at all hours of the day and night, was filled, and sometimes surrounded, by multitudes imploring his assistance. To these he prescribed during the intervals of his visits, using the help of three of his pupils, who resided for this purpose in his family; employing them either in putting up medicine, in bleeding, or in visiting the sick. But although he devoted even the hurried periods of

his meals to such offices, he was unable to supply the numerous applications that were made to him, and great numbers were obliged every day to retire, without the benefit of his advice or prescriptions; in which unhappy predicament he was obliged often to turn a deaf ear to the most pathetic entreaties, urged with all the zeal of friendship, of conjugal, filial, or parental affection; and even when riding through the streets, to drive with such speed as might secure him from interruption, or place him beyond the cries of his wretched petitioners. If, indeed, Dr. Rush had not been influenced at this season by motives more exalted than those that are mercenary, it would not be easy to say what sums he might not have amassed. Numerous were the instances in which profuse offers were made to him, and their acceptance almost implored, for his professional assistance. A wealthy citizen tendered him a deed for one of the best houses in Market street, if he would attend his son who was lying ill. A captain of a vessel once took from his pocket twenty pounds, offering them to him if he would pay his wife a single visit. A patient whom he had cured, directed, in his first feelings of gratitude, his desk to be opened, in which large sums were heaped, requesting that he would take a part, or, if he chose, the whole, as his compensation. These are but a few of many similar instances. It need scarcely be added, from the well-known character of Dr. Rush, that, in every such instance, when it was in his power to attend the patient, he would only receive his regular professional charge.

By unremitted labours for the relief of others, his own health was at one time overpowered, and his life for a while despaired of; he was, however, by the timely application of remedies, restored; and, with his usual assiduity, he returned to his practice. On this occasion he was urged by his friends to leave the city, and no longer place his safety in such imminent hazard. To their solicitations and urgent importunities, he replied, "that he would not abandon the post which Providence had assigned him; that he thought it his duty to sacrifice not only his pleasures and repose, but his life, should it be necessary, for the safety of his patients."

The methods he employed, though attended by the most manifest evidence of their utility, were much disapproved and questioned by many of his contemporaries. Besides prescribing larger doses than usual of calomel, he recommended and followed bleeding in a great variety of cases, in which this remedy, by other physicians, was not accredited; and although the quantity of blood taken was not without precedent, and was obviously required, from the excessively

high inflammatory fever which attended the first attack of the disease, it exceeded, in various instances, the received opinions relating to it, and thus encouraged prejudices against him, and gave easy circulation to the slanders of his enemies. Most of the physicians, and at length nearly the whole community, were enlisted in the quarrel. The public journals were converted into vehicles of abuse, and pamphlets were written against him, in a style remarkable for malice and scurrility. In these writings, he was even stigmatized as a murderer; and at one time was threatened with prosecution and expulsion from the city. Such a temporary sacrifice of reputation has been the lot of many eminent medical reformers; Dr. Rush himself remarks that Dr. Harvey lost all his business, after he published his account of the circulation of the blood, and Dr. Sydenham was thrown into the back-ground of his profession, after he introduced depleting medicines and cool air in the cure of inflammatory fevers. This ingratitude of the public to medical men is also feelingly noticed by him in one of his admirable introductory lectures, in reference to the circumstance of a motion at a public meeting in Philadelphia, in December 1793, to thank the physicians of the city for their services, in common with the board of health, during the fever of that year, not having been seconded, although their patients were chiefly poor people, and although eight out of thirty-five physicians who remained in the city, died, and of the survivors but three escaped the fever.

The enemies of Rush succeeded for some years in injuring his professional reputation, and in circumscribing his extensive practice. But it is the advantage of true merit to suffer but temporary obscuration. The traces of their enmity are now invisible, whilst the honour of his profession and glory of his country are associated with the name of Rush. The experience of the present day has sufficiently proved, that his deviation from established rules was not founded upon any levity of determination, or presumptuous confidence in his abilities; for even those who were loudest in their censure of his practice have, at last, united in the general strain of approbation.

As a teacher of medicine, Dr. Rush has acquired not less distinction than as a practitioner. The various duties that he fulfilled in this capacity excited his mind to research, while they diffused his name and principles extensively throughout the country. His private pupils were very numerous, from the commencement of his practice. In the nine last years they amounted to fifty. His pupils

in class, during the first seasons of his public lectures, varied from sixteen to thirty. From 1789, they increased rapidly, and in 1812, amounted to four hundred and thirty. It is estimated that during his life, he had given instruction to more than two thousand pupils, who propagated his principles and practice of medicine throughout the whole of the United States, and in some instances to South America, the West Indies and Europe. His degrees of appointment, as appears from the journals of the university, were as follows :

In 1769, he was chosen professor of chemistry in the college of Philadelphia.

In 1789, he succeeded, in the same institution, to the chair of the theory and practice of medicine, vacated by the death of Dr. John Morgan.

In 1791, the college having been elevated to the University of Pennsylvania, he was elected, in this latter establishment, professor of the institutes of medicine and of clinical practice.

In 1796, he received the additional professorship, on the resignation of Dr. Kuhn, of the practice of physic, which he held with the two preceding appointments, though they required much laborious application, until the close of his life. Besides these various duties, he was for many years one of the physicians of the Pennsylvania hospital, and contributed very essentially to the interest of that institution, by the various improvements which he suggested in the management of its economy.

The style and manner in which he conveyed his public lectures have been greatly admired ; and those who have had the best opportunities to judge, do not hesitate to rank him as one of the most popular lecturers of his age.

To his fame as a practitioner and teacher of medicine, Dr. Rush has added the no less glorious distinction of a good writer. His printed works are comprised in seven volumes, and, with the exception of one containing miscellaneous essays on philosophy, morals, and literature, are wholly employed upon subjects of medicine. Upon these volumes we do not feel our competence to speculate : they are said, by those who are conversant in the kind of learning of which they treat, to be of incalculable value for general information, and especially for the particular knowledge which they convey of our climate and its peculiar diseases, which is not to be found in books imported from foreign countries. His style of writing is always attractive, and bears every where the impression of his genius. "It is matter of wonder," says Dr. Ramsey, "how a physician who

had so many patients to attend, a professor who had so many pupils to instruct, could find leisure to write so much, and at the same time so well." As a writer his biographers mention this peculiarity, that in composing he never sought retirement or silence, but wrote, on the contrary, with greater spirit amidst the company of his friends, and the clamorous merriment of his children.

The political character of Dr. Rush, was, in the estimation of his contemporaries, highly respectable. He was united in sentiments and affections with nearly all the distinguished patriots of the revolution. He mixed in the most important councils of the nation, and his talents as a writer were also faithfully employed in the acquisition of our liberty. He not only wrote himself, but inspired other men of talents, who enjoyed more leisure than himself, with the same spirit. He was amongst the first acquaintances of Thomas Paine in the United States; he instigated, planned, and assisted the first compositions of that well-known writer, which contributed so powerfully to rouse the opposition to England, and to support the spirit of the nation in times of great despondency and misfortune. In conjunction with John Adams, he persuaded Paine to undertake to write in defence of the American cause, and suggested the title which his first paper bore, viz. COMMON SENSE. He was chosen in July, 1776, a representative to the general congress, and subscribed his name to the Declaration of Independence, which had been ratified some time previous to his appointment. Independence was the favourite theme upon which, during the whole war, he dedicated all his faculties, and from the extent of his influence, we cannot estimate at a low rate his instrumentality in the accomplishment of that glorious and splendid enterprise.

In 1777, he was appointed, for the middle department, physician general of the military hospitals, and in 1787, a member of the convention of Pennsylvania for the adoption of the federal constitution, a measure which he warmly advocated, as the only means to cement the union, to give stability and energy to the government, and to secure respectability abroad, and prosperity at home. With the view of aiding this most important cause, his labours were incessant.

To the government of his own state he was not less attentive. He had always been opposed to the constitution formed in the year 1776, on the principle of a single legislative body; and had written much against it, and in favour of a new one. After the convention which formed the federal constitution had adjourned, and published their plan, he again exerted himself on the subject, and had frequent

meetings at his house with members of the legislature, to fix the outlines of a new form of state government.

After the establishment of the federal government, he withdrew himself altogether from public life, and devoted the residue of his time to his social duties and the exercise of his profession. The only office he accepted, as a reward for his many services, and which he held for fourteen years, was that of treasurer of the United States mint; a charge which added something to his revenues, without interfering in any way with his professional occupations.

As a private citizen, he encouraged many useful institutions, and held many places of honour and confidence. He was president of the society for the abolition of slavery, a feature in our institutions which he had regretted deeply from his earliest years, and to which he remained inflexibly opposed, until the day of his death; he had indeed published an essay relative to it, in a volume as early as 1774. He was president for some time of the Philadelphia Medical Society; he was also vice president and one of the founders of the Philadelphia Bible Society, the constitution of which he draughted; he was one of the vice presidents of the American Philosophical Society, and was a member of many other literary institutions both in this country and Europe.

He took a warm interest in the establishment of the Philadelphia Dispensary, in 1786, and served for many years as one of the physicians of that institution, the good example of which was speedily imitated in Boston, New York, Baltimore, Charleston, and other cities. He was a principal agent in founding Dickenson College at Carlisle, and was chiefly instrumental in bringing from Scotland Dr. Nesbit, who for several years presided over that institution. In order to give a general diffusion of knowledge throughout the country, he advocated also the establishment of free schools. On this subject he wrote several very sensible and eloquent essays, pointing out, at the same time, the objects which ought to enter into a system of general instruction adapted to the situation of our country, and our republican government. He felt a very deep concern in the diminution of capital punishments, and as early as the year 1774, had called the attention of the public to the subject.

His inquiry into the effect of ardent spirits upon the body and mind, is written with great fervency and exuberance of genius, and is supposed to have contributed not a little to diminish the vice of drunkenness, one which, by ruining health, poisons existence, and which has sometimes brought the most hopeful virtues and noblest

faculties to ridicule and dishonour. His essay on this subject he published, that it might be universally read, in the form of a pamphlet, and distributed it gratuitously among the people, through the medium of the clergy and religious assemblies. Except Dr. Franklin's "Way to Wealth," probably no small publication ever had a more extensive circulation, or did more good. He also wrote at the same time against tobacco, and has exhibited a frightful catalogue of the evils arising from the intemperate use of that stimulus. His essay "On the Influence of physical Causes on the moral Faculty," has been universally admired as one of the most profound productions of modern times. He afterwards made the "influence of physical causes in promoting an increase of the strength and activity of the intellectual faculties of man," the subject of an introductory lecture to his medical course in the year 1799.

The last work of Dr. Rush was "Medical Inquiries, and Observations upon the Diseases of the Mind," which he published the year before his death. He often said, that he bestowed more labour on this work, than on any he had ever composed. He has embodied in it the result of all his observations and reflections on the constitution and diseases of the mental faculties, made during a long course of practice, particularly in the Pennsylvania Hospital; and of his study of various authors who had treated on that interesting subject. It has been pronounced by very respectable authority, "at once a metaphysical treatise on human understanding; a physiological theory of organic and thinking life; a code of pure morals and religion; a book of the best maxims to promote wisdom and happiness; in fine, a collection of classical, polite, poetical, and sound literature."

In all the periods of life, he was remarkable for his attention to religious duties, and his reverence for the Holy Scriptures. He urges, in all his writings, the excellency of the Christian faith, and its happy influence upon the social habits of the country. To his students he especially recommends it as one of the concomitant excellencies and subsidiary accomplishments of the profession. He received during his life, besides the general esteem of his countrymen, several peculiar marks of public favour. In the year 1793, the Board of Health of Philadelphia presented him with a large piece of plate, with an appropriate inscription, for his gratuitous service to the poor, during the epidemic fever of that year. In the year 1805, he received from the king of Prussia, a coronation medal, for his replies to queries on the yellow fever. In 1807, the

queen of Etruria also presented him with a gold medal, for a paper on the same subject, written at her request; and in 1811, he received a diamond ring from the emperor of Russia, in testimony of the respect in which that potentate held his medical character.

The useful life of Dr. Rush, whilst yet capable of much good to mankind, was terminated on the nineteenth of April, 1813, in the sixty-eighth year of his age. He had yet experienced no diminution of mental faculties, and but few physical infirmities. He died of an epidemic, which prevailed at that time in Philadelphia, termed typhus or spotted fever, after a few days' sickness.

In exterior, Dr. Rush was favoured by nature with many advantages. He was above the middle size, of a slender but well proportioned figure, and his general deportment commanded respect and deference. Those who knew him well, and have described him with minute accuracy, tell us that the diameter of his head from back to front was uncommonly large, that he had a prominent forehead, aquiline nose, highly animated blue eyes, with a chin and mouth expressive and comely; his look was fixed, his aspect thoughtful, and the general traits of his physiognomy bespoke strength and activity of intellect.

Throughout life he was distinguished by the affability and polite manners of a gentleman; and for his excellence in such accomplishments, his friends have bestowed upon him no ordinary praises. To please, in order to instruct, was his favourite maxim; and even in old age, he retained all the gaiety and attic spirit of conversation, which eminently distinguished his early years.

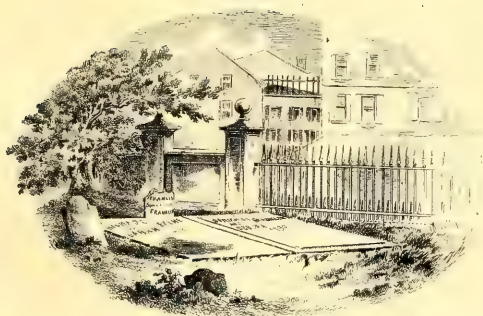
As a scholar, he was well versed in ancient and modern learning, and was fond of poetry and eloquence, with which he relieved the severity of his professional studies, and furnished fluency and ornament to his style of conversation and writing. For his reputation, both literary and professional, he was little indebted to any adventitious benefits of fortune. He was endowed with good faculties, a penetrating mind, a ready apprehension, exuberant imagination, and extraordinary memory, and these qualities he improved by a long course of unwearied study and observation.

As a physician he has left upon the age in which he lived, the impress of his character and genius. In the minds of his own countrymen he holds an undisputed eminence; and amongst foreign nations his fame is universally acknowledged. One trait of his character should not be forgotten; he was eminently charitable to the poor, both in direct donations and in giving them his professional

services gratuitously. There were also two classes of persons whom he made it a point never to charge, unless they were in easy circumstances—clergymen and officers of the revolutionary army. It may serve as an useful example, especially to the young, to know, that, although he was uniformly charitable, and towards his patients ever forbearing in his charges, where their circumstances made it necessary, yet such was his success in life, the result of his great industry and high character, that besides bringing up a large family in abundance, and living with liberal hospitality, he left behind him property of value to his family, accumulated solely by his professional earnings, never having embarked in any pecuniary speculations. With him money became the effect, though it never seemed to have been the motive of his exertions. It may indeed be doubted whether any medical man ever rendered more gratuitous services. He constantly enjoined an attention to the sufferings of the indigent upon his private pupils, and to his public class; quoting the remarks of Dr. Boerhave, that “he esteemed the poor his best patients, for God was their paymaster.” Payment for medical services was the last object of consideration with him; when called to assist a person on his death-bed, one of the injunctions to his son, was “to be kind to the poor;” and on the day of his funeral, the streets were lined with thousands, who shed tears of heart-felt sorrow for the loss of their kind and humane benefactor.



THE HOUSE IN WHICH BENJ. FRANKLIN WAS BORN
Milk Street House Boston



BURIAL PLACE OF BENJ. FRANKLIN
SE Cor of 5th & Arch St Philada

BENJAMIN FRANKLIN.

BENJAMIN FRANKLIN, a native of Boston, was born on the seventeenth of January, 1706. His father, who was of the persuasion of the Puritans, emigrated in 1682 to the colony of Massachusetts; he had recourse for a livelihood to the business of chandler and soap-boiler, which, during the remainder of his life, he pursued with little success, and lived in an innocent and unambitious poverty. Of his mother, whom he mentions with affection, he has left no very important intelligence: her name was Folger; she was a native of Boston, and was descended from one of the principal settlers of New England.

From the facility he discovered in learning the rudiments of his native language, his parents believed him endowed with more than ordinary genius, and resolved to raise him to the profession of a clergyman. He was, therefore, placed in a grammar school to receive the requisite instructions. He engaged himself with so much ardour in this pious enterprise, and pursued his studies with so much diligence, that before he had reached the eighth year of his age, he had attained a great reputation in his class, for industry and capacity.

But these academical honours, and hopes of ecclesiastical distinction, were of short duration; for towards the end of the first year, his parents discovered that the expense of collegiate instruction would far exceed their slender revenues, and he was transferred to a school where, at a charge more moderate, he might acquire the common principles of an English education. From the latter situation, at the expiration of twelve months, he was taken home to prosecute the business of his father.

He was now employed, during two years, in tending the shop, cutting wicks for candles, filling moulds, and running errands; nor was this period of his life, according to his own estimation, wholly unprofitable. By the rigid discipline of economy and industry, and by the privations and disappointments to which he was subject from

his indigent condition, he learned to accommodate his mind to the vicissitudes of fortune; he acquired, also, what he justly valued as no trivial benefit throughout life, an indifference for the quality of his nourishment, with the power of regulating its quantity, as well as that of sleep, by the necessities of nature. By these early habits of temperance, he likewise seasoned the native vigour of his constitution, which enabled him, even to an extreme old age, to preserve the vivacity of his health and spirits.

Nor was the generosity of his nature concealed amidst the drudgery of this servile employment. All the books placed within his grasp, which in a new colony were of difficult access, he devoured with insatiate rapture: travels, voyages, historical compilations; even the odd volumes, which accident offered him, he read with frequent repetition; nor did the folios of controversial divinity, which the bigotry of his father had preserved, though unintelligible to his unripened understanding, escape his undistinguishing voracity.

In this indiscriminate reading he discovered, however, a few works, which he perused with a favourite attention, and which, he imagines, had no inconsiderable influence upon the habits and dispositions of his life. Those he has mentioned, are an "Essay upon Projects," by Defoe; an "Essay on doing Good," by Mather; and the "Lives of Plutarch." For the latter of these in particular he entertained the highest admiration: and the frequent perusal of this polite and elegant author, presented to his view so opportunely, at an age when the impressions are yet lively and permanent, had, no doubt, in a mind so formed for moral reflection and virtuous excitement, a very salutary tendency; and we may reasonably ascribe to this partiality many of the eminent virtues which distinguished his character; especially those high sentiments of honour, and undaunted love of liberty, which an acquaintance with the writers of antiquity seldom fails to produce in generous dispositions.

But these studies were not of a nature to reconcile him to the humility of his condition, for which his original education had already inspired him with no very favourable sentiments. The father also, entertaining a high sense of literary merit, by applauding the industry and exciting the emulation of his son, had contributed not a little to animate his ambition. He became, therefore, every day, more and more querulous and discontented; and his aversions being confirmed by the increase of his age and intelligence, he resolved, at length, to disenthral himself from the fetters of so rude and inglorious an occupation. He conceived at first an ardent inclination.

for a sea-faring life. This scheme he was, however, upon application, though urged with frequent importunities, obliged to relinquish, as his father, who had already lost a son upon the sea, violently opposed it. But to console him for the prohibition, he was permitted to make choice of some business more congenial, than that now allotted him, to his genius and inclinations. For this purpose he was conducted through the town of Boston, by his father, to inspect the various trades; and after much search and deliberation, he commenced the business of a *cutler*. At this he remained the stipulated time of probation, but the sum required as the fee of apprenticeship being thought exorbitant, he was constrained to abandon it; and no other occasion intervening, of placing him advantageously, he was finally bound to his own brother, as the printer of a newspaper. To this business he entertained no particular dislike; but to the obligation of an indenture, which appears to have been exacted by the father's advice, to restrain his roving inclinations, he submitted with a very unwilling acquiescence. The choice was, however, fortunate, and proved, in the issue, extremely beneficial in promoting his interest and reputation.

Having now entered upon a more respectable employment, or one more suited to his natural inclinations, he pursued it with the most laborious industry; and soon reached, in the art of printing, an ingenuity, not usually at that time attained in America. The ordinary intervals of labour, and days of recreation, he employed, not after the example of most of his age, in idleness or dissipation, but in the increase of his mechanical knowledge and mental accomplishments. Even the devotions of the Sabbath, notwithstanding the pious vigilance of his parents, were frequently neglected; his meals postponed, and sometimes forgotten; and very often whole nights consumed in the pursuit of some favourite study.

He read, about this time, a work in recommendation of vegetable diet, and resolved to abstain altogether from the use of meat; a practice which he observed, for several years, with various advantages; for besides promoting his health and clearness of understanding, as he remarks, it enabled him, of the sum usually expended in his boarding, to reserve about one third for the purchase of books; and finally, by the unceremonious simplicity of his repasts, which consisted but of a few biscuits, and a glass of water, with the occasional addition of some raisins, he made no inconsiderable acquisition of time, for the perusal of the books which his meritorious economy had procured him.

Amongst the authors, which accident opportunely offered to his notice, was an odd volume of the *Spectator*. The charms of this writer took possession of his affections, for some time to the exclusion of every other study. He attempted to imitate his style; and the series of compositions, of which he has given an account in his *Memoirs*, that he used for this imitation, is entitled to no ordinary praise; for under the most judicious superintendence, few indeed have employed a process more rational, or one which has been approved by a more ample and evident success: and that he had the skill, at an age, when others are scarcely acquainted with the lowest elements of literature, to estimate such writers as Addison, affords no doubtful proof of his excellent taste and judgment, and of the elevated sentiments he had received from nature.

Having "failed altogether in Arithmetic, whilst at school," and now ashamed of his deficiency in a science so necessary and so universal, he procured a book, and by his unaided exertions soon attained a sufficient knowledge of it; adding, at the same time, some acquaintance with English grammar, geometry, and navigation. He studied, likewise, Locke on the Understanding, the *Logic* of the Port Royal, and the *Memorabilia* of Xenophon. From the perusal of the latter author, he contracted a fondness for the character of Socrates; and his manner of reasoning and moralizing he afterwards followed with extreme predilection: nor since the age of the Athenian philosopher, has there existed, perhaps, in the knowledge of mankind, an individual so fitted, by a conformity of sentiments and intellects, for this laudable and splendid imitation.

To the reading of Xenophon he ascribes the correction of many evil habits and propensities. He was addicted to sophistical argument, disputation and contradiction: indulging, according to his own acknowledgment, in a disposition to raillery, often without prudence or generosity; and in his early youth, yet ignorant of the laws of propriety, unconscious of the impotence of human reason, was presumptuous and pertinacious in his opinions. It is to the contrary practice, which he assumed, after the precepts and example of Socrates, of urging his sentiments with moderation, and of enlisting, by his own modesty, the vanity of other men in his favour, that he ascribes the powerful influence he always maintained in the community, and the success of the numerous enterprises in which he engaged for the honour and ornament of his country.

It was during his apprenticeship that he attempted his first literary compositions; of which we may give some account. Of his

intellectual progress the details cannot be unwelcome, and are perhaps not less fertile of instruction than the more turbulent incidents of his political life.

Though born with a genius more favourable to science than to polite letters he was first ambitious of the reputation of a poet, and having produced many verses in secret, he at length exhibited a specimen of his performance, with much diffidence and hesitation, to his friends, which was received with great approbation; and encouraged by this first success he published soon after, in a more laborious composition, two ballads, which on account of some occasional interest of the subject, were likewise applauded, and read through the town of Boston with avidity; but his father, who appears to have possessed no contemptible judgment in these matters, seeing that the progress of his son's more useful occupations might be retarded, or his genius perverted by this inclination for rhyming, by criticising ironically his verses, and reminding him of the proverbial beggary of poets, discouraged him from this species of composition. He persuaded him, however, as a means of procuring fortune and reputation, to endeavour to attain excellence in prose, and to this object the young Franklin now directed his ambition.

The newspaper conducted by his brother, being the only vehicle of the kind in New England, and the second which had been established in America, engrossed, with much interest, the attention of the public. The most accomplished scholars of the town contributed to its importance by their communications; and many critics, assembling daily at the printing-office, discussed the merits of the original productions which appeared in it. Franklin, who had already caught the rage of publication, being impatient to discover the public opinion of his abilities, disguised ingeniously his handwriting, and sent anonymously a paper, which he had composed with great care, to the inspection of these critics; and having set up the type himself, awaited, with timorous anxiety, the decision of its merits. On the next day, his composition being produced, was read, commented, and applauded; and he enjoyed the "exquisite pleasure," as he terms it, of listening to his own praises; which were bestowed at least without flattery, and though fraught, perhaps, with no extraordinary taste or intelligence, contributed to encourage his youthful hopes, and animate his future exertions.

He continued his clandestine correspondence in a succession of pieces, which met a still more favourable reception, and amongst the readers of the journal excited a lively desire of discovering the

author. Nor did the vanity of Franklin long suffer them to labour under the burthen of curiosity.

But this literary success was soon followed by consequences which marred his agreeable prospects, and changed in some degree the destinies of his life. His writings in the newspaper soon procured him the notice of the most distinguished persons of the town, who regarded him as a youth of uncommon abilities. He began, therefore, we may reasonably imagine, to entertain sentiments above the common drudgery of his business, and perhaps obeyed his brother with a less willing submission. The brother, on the other hand, who was not remarkable for any superiority of intellect, or generosity of mind, observed this growing credit of his apprentice with jealousy; and considering his praises as a tacit reproach of his own inferiority, was much more inclined to depreciate than magnify his merit. From these principles of discord, many quarrels and contentions arose between them, which were heightened gradually by petty provocations to a degree of inextinguishable rancour, and though sometimes composed by the father, to whose arbitration they mutually appealed, burst out again with increased animosity, till at length the brother, under sanction of his age and privilege of master, resorted to blows in support of his authority.

This brother, on account of some libellous publication inserted in his paper, of which the author's name was refused, was about this time imprisoned, and restricted by an award of the court from any further exercise of his editorial functions. To evade the latter part of the sentence, the young Franklin, by a fictitious agreement, became nominal proprietor and editor; and in this capacity, during the incarceration of his brother, defended him with great spirit and generosity, publishing several strictures, remarkable for wit and satire, against the members of the government. For this gratuitous defence, however, in which he had incurred the displeasure of the administration, the brother appears to have entertained no very profound gratitude, for after his enlargement he not only retained his ill-natured passions, but renewed his system of flagellation with increased severity.

This usage Franklin continued to bear, for some time, with silent indignation; but perceiving no reasonable termination of it, resolved, by the only expedient which remained for the purpose, to assert his independence;—to escape from the reach of injuries which his situation did not permit him to resent.

On intimation of this design, his brother's influence and malignity

precluded, in his native place, all hopes of employment; and it became necessary that he should seek elsewhere the means of subsistence. He had, besides, in the levity of youthful conversation, excited amongst the pious inhabitants of Boston, some apprehensions concerning the purity of his religious principles; and his politics likewise had brought him into disreputation with several of the distinguished members of government; and having, in this emergency found a vessel in the harbour, bound to New York, he engaged a passage and embarked abruptly for that city.

This evasion and breach of obligation, although his indenture had been previously cancelled for the benefit of his brother, Franklin has comprehended, with more generosity than justice, amongst the errors of his life. To the severe and arbitrary spirit of this brother, he ascribes, however, the first impressions of that hatred of tyranny, which influenced all the actions and opinions of his future life.

Having endeavoured, for some time in vain, to procure occupation in New York, he proceeded onwards with a faint hope of better fortune, to Philadelphia. After much intermediate fatigue from travelling on foot, or the rowing of a boat; and having, more than once, had occasion to repent of his fugitive expedition, he arrived in that city. He now perceived himself, at the age of seventeen years, thrown upon the mercy of the world; at the distance of four hundred miles from his native home, without a friend or counsellor; with scarce a hope of employment; and of the slender provision of money which he had carried with him, but a single dollar remaining in his pocket.

His appearance at Philadelphia, on this occasion, if we compare it with many succeeding incidents of his life, was not a little romantic. He is represented as making his entrance into Market street with a roll of bread under each arm; with his pockets enormously distended by shirts and stockings, which he had crammed into them on leaving the boat, and thus accoutred, walking, in the solemnity of a Sunday morning, through the principal streets of the city. An appearance so singular drew upon him, even in those days of rustic simplicity, the observation of the inhabitants; among others, of his future wife, in whose eyes he made, it seems, "a very awkward and ridiculous figure." Having eaten a portion of his bread and bestowed the remainder on a fellow passenger, he sought a draught of water from the Delaware; and being afterwards borne, by the passing crowd, to a meeting of Quakers, sat down amongst

them and slept until the end of the service, when he was admonished by one of the congregation to retire.

But two printing houses were, at that time, established in Philadelphia, in one of which he happily obtained employment as compositor; and instigated by the necessities of his condition, by the ardour which enterprising youth feels in the first enjoyment of liberty, and sensible that he had now to commence life with no other pretensions than such as he derived from personal merit, he exerted in his business the most studious and indefatigable industry. In his private affairs, he observed a scrupulous and parsimonious economy; was seen, during the usual hours of recreation, at the occupations of his trade, and all his actions maintaining a strict punctuality and regularity of conduct, he soon drew upon him the observation of the public, and filled the town with his praises. By such arts he procured money against emergency, and friends whose patronage contributed to his future reputation and fortune.

But a short period since his arrival in Philadelphia had elapsed, when he was surprised by a visit from the governor of the province, Sir William Keith, whom, by his solicitation, he accompanied to a neighbouring hotel; shared his wine and conversation, and received a general invitation to his house, which he afterwards frequented, with many tokens of kindness and hospitality. For this distinguished attention, he was indebted, especially, to the perusal of a letter he had written to a friend at New Castle, from which the governor, learning the history of his recent adventures, had conceived a favourable opinion of his spirit and abilities.

As a farther mark of his attachment, he proposed that Franklin should commence business on his own account, offering in aid of the project his own influence, the interest of his friends, and the printing of the government; and urged him to return to Boston, with his recommendation, to solicit the concurrence of his father. Franklin, armed with this powerful intercession, not doubting of success, was easily prevailed on to fall in with the scheme; he therefore commenced his journey, and after an absence of seven months, reappeared in his native town. By his relations, with the exception of the brother only, who retained a consciousness of his injurious treatment towards him, he was received with an affectionate welcome. Of his brother also he conciliated the favour, on a subsequent visit; and in retribution for the blows he had received, took in charge one of his sons, whom he instructed in his trade and established in business. In the principal object of his present visit, however, he proved

unsuccessful; for his father advised him, by reason of his age and inexperience, to lay aside all further thoughts of his enterprise, and to the same effect wrote to his patron the governor. He returned, therefore, and resuming his station with his former master, pursued his trade with the same assiduous attention. The notice he received from the great stimulated his industry, and added to the prepossessions which the public already entertained in his favour.

But the zeal of the governor, it appears, was not cooled by interruption. He invited Franklin still more frequently to his house, where he treated him always with the same politeness and affability, and resolved at last to acquire for himself the exclusive honour of giving success to their projected enterprise. He encouraged him to proceed by a vessel of government, then ready to sail, for London, that he might make interest with booksellers, and, under his patronage, procure such materials as were requisite for his establishment; a proposition which Franklin readily accepted; and full of gratitude to his generous benefactor, embarked on his voyage; nor was it until his arrival in a foreign country, three thousand miles from his native home, that he perceived, with astonishment, no provision, not even that which the immediate exigencies of his condition required, had been made for him; that in London his patron was without credit, and that he was much less aided than dishonoured by his credentials. He was now involved in the most distressful perplexities; seduced from a prosperous business; all his other schemes interrupted, and was turned loose a stranger amidst the competition of a vast city to struggle for the means of subsistence.

Franklin was much embarrassed concerning the measures which, in this difficult emergency, he ought to pursue; but had too much force of character, had been too much accustomed to vicissitudes, and was too fertile in expedients, to sink into a pusillanimous dejection. Upon the whole, this disappointment, as it furnished him the opportunity of increasing his acquaintance with the world; of improving the essential knowledge of his profession; and of resuming, on his return to America, his career with greater confidence and prospects of success, is to be regarded only as a temporary calamity.

He obtained employment in one of the most considerable printing houses in London, and by his industry soon secured the esteem and favour of his patrons. By his temperate habits and rigid economy he procured, not only a decent subsistence for himself, but the means also of relieving the necessities of his friends.

During his short residence in London, Franklin pursued his private studies with so much diligence, and discovered so generous an ambition for literary improvement, as caused him to be regarded by the ingenuous part of his acquaintance with great partiality. He obtained, by subscription, access to an extensive library, and was prompted by some occasional interests of the subject, or by an impertinent inclination for scribbling, to compose a small pamphlet upon Deistical Metaphysics. This served, at that time, to diffuse his name amongst the multitude, and procured him a favourable introduction to several persons of distinguished infidelity; amongst others, to Mandeville, who hailed him as a youth of very promising abilities.

This youthful levity on the subject of religion, when he had acquired a riper age and more ample intelligence, he emphatically condemned; but the extreme aversion which, in common with all men of honest feelings, he entertained for that senseless dogmatism and mischievous intolerance which prevailed amongst the sects of his time, in America as well as in Europe, led him sometimes to express sentiments on religious subjects, that were not always approved. Honest men he believed, without any regard to religious denominations, were equally entitled to esteem; and he even procured at Philadelphia, the establishment of a church, in which all sects might worship according to the dictates of their own conscience.

Having resided for a year and a half in the British capital, and growing tired of the uniformity of his life, he concerted a scheme, with an enterprising companion, of travelling through the continent of Europe. Another project, also, he had in view, of establishing a school of natation; some feats of activity having spread an admiration for his skill in that art amongst the nobility; but by the accidental intervention of a mercantile acquaintance, who was at this time preparing merchandise to be transported to Pennsylvania, these designs were interrupted. By a promise of contributing to his future elevation in business, he was solicited by this friend to accompany him as a clerk; an offer, which his natural prepossessions in favour of his native country did not permit him to refuse; and on the twenty-second of July, 1726, they set sail for America.

During the leisure of this voyage, he employed himself in marking down its incidents in a journal, and having now reached the twenty-first year of his age, and thinking it unbecoming the character of man, to whom heaven has imparted intelligence and reason,

to fluctuate without a design through life, he resolved to form some plan for his future conduct, by which he might promote his fortune, and procure respect and reputation in society. This plan is prefaced by the following reflections: "Those who write of the art of poetry, teach us, that if we would write what would be worth the reading, we ought always, before we begin, to form a regular design of our piece; otherwise we shall be in danger of incongruity. I am apt to think it is the same as to life. I have never fixed a regular design in life; by which means it has been a confused variety of different scenes. I am now entering upon a new one: let me, therefore, make some resolutions, and form some scheme of action, that, henceforth, I may live in all respects like a rational creature."

To these remarks he annexed a series of rules and moral principles, which, at the same time they show his noble ardour for virtue, may afford to others, animated with the same spirit, no unprofitable example. They are partly as follow:

"I resolve to be extremely frugal for some time, until I pay what I owe.

"To speak the truth in every instance, and give no one expectations that are not likely to be answered, but aim at sincerity in every word and action—the most amiable excellence in a rational being.

"To apply myself industriously in whatever business I take in hand, and not divert my mind by any foolish project of growing suddenly rich; for industry and patience are the surest means of plenty.

"I resolve to speak ill of no man whatever, not even in a matter of truth; but rather by some means excuse the faults I hear charged upon others, and, upon proper occasions, speak all the good I know of every body, &c."

To these resolutions, although they were formed in the ardour of a youthful imagination, he adhered, with a scrupulous fidelity; and the foundation, we must admit, was not unworthy of the superstructure he afterwards reared upon it.

He arrived in Philadelphia on the eleventh of October, and embarked upon his new-adopted profession. By his application to business, he soon gained the esteem and favour of his employer, was about to be appointed supercargo to the West Indies, and already entertained magnificent hopes of prosperous fortune. We cannot doubt, with the qualities of industry, economy, and enterprise which marked his character, that, by pursuing this business, he had transcended the usual honours of the counting-house; but the sudden

decease of his patron interrupted all his dreams of affluence and felicity; he was once more thrown out of employment, and sunk again into the obscurity of a journeyman printer.

He entered the service of his former master, a man of noted insolence and ignorance; from whom, at the expiration of a few months, he was impelled by rude treatment to a separation; an event which exposed him, for a while, to new vexations and difficulties, but served to hasten the accomplishment of a more important scheme which had principally occupied his mind,—the establishing of business on his own account. By the incessant fluctuation of his life, this project appeared indeed to be attended with little probability of success; but the knowledge he had acquired of his profession happily supplied his pecuniary deficiency, and procured him a partner, more fortunate and less skilful, who furnishing the means requisite to the enterprise, he was enabled, at last, to bring this great object of his wishes to a happy issue.

The prospect now opened to his view furnished a more powerful incentive to his ambition; and having to encounter, in the commencement of his business, a competition with others long since established, it is in this emergency of his life, that he employed the most indefatigable and laborious activity. From the earliest to the latest hours, he was seen busied in the objects of his trade; in the composition of types, preparing of stationery, and often transporting it in a wheelbarrow through the streets of the city; abstaining not only from the common recreations of his age, but even from his favourite passion of reading, except in the secrecy of the night, lest he should incur the imputation of indolence or dissipation. This studious gravity of deportment, carried so far beyond what is usual to his age, and so congenial to the demure and stately habits which prevailed, at that time, in the society in which he lived, added to the punctuality and fidelity with which he fulfilled his engagements, soon procured him a very extensive and honourable acquaintance. These enabled him to give extension to his business; and at last to get rid of a worthless partner, who embarrassed his plans and operations.

In the preceding portion of his life, he had subsisted wholly at the mercy of fortune; exposed to a perpetual vicissitude of inspiring hopes and vexatious disappointments. From this period, the obstructions which had hitherto limited his genius, and prejudiced his interests, were in a great measure removed; and in his subsequent career, though circumvented by many difficulties, and engaged per-

petually in the most complicated or dangerous enterprises, he conducted them all with uniform success and felicity, and advanced with a firm and undeviating step in the progress of fortune and preferment. In reviewing this period of his history, he has remarked with a generous pride, that he had passed through the storms of youth, notwithstanding his exposure to evil company, with an unsullied reputation, and under the pressure of the most imminent necessities; that he had used no cringing submissions; or resorted to no meanness of expedient for a subsistence.

In 1730 he married a lady whose maiden name was Read; whom he had courted before his departure for England, had forgotten during his absence, and now espoused in her widowhood. She had suffered many injuries from the volatile affections of a former husband; with the present one she lived in full enjoyment of connubial harmony, and by her virtues, as well as by her misfortunes, appears to have merited so auspicious a connexion.

Soon after his return to America he instituted, in connexion with several young men of respectable character and abilities, a club, of which he has spoken with great affection in his Memoirs, denominated "The Junto," in which were discussed scientific, moral, and political subjects; an association which endured with undiminished reputation for thirty years, and was at last succeeded by the present Philosophical Society. It had a very salutary influence in promoting economy, virtue, and public institutions; and not only in creating a literary emulation among its members, but in diffusing a curiosity for letters in the community. Of the beneficent nature of the club, a conjecture may be drawn from the questions which preceded their debates; some of which are as follow:

"Have you met with any thing, in the author you last read, remarkable, or suitable to be communicated to the Junto? particularly in history, morality, poetry, physic, travels, mechanic arts, or other parts of knowledge.

"Do you know any fellow citizen, who has lately done a worthy action, deserving praise and imitation? or who has lately committed an error, proper for us to be warned against and avoid?

"What unhappy effects of intemperance have you lately observed or heard of? of imprudence? of passion? or of any other vice or folly?

"What happy effects of temperance? of prudence? of moderation? or of any other virtue?

"Do you think of any thing at present, in which the Junto may

be serviceable to mankind? to their country, to their friends, or to themselves?

"Hath any deserving stranger arrived in town since last meeting, that you heard of? and what have you heard or observed of his character or merits? and whether think you, it lies in the power of the Junto to oblige him, or encourage him as he deserves?"

"Do you know of any deserving young beginner lately set up, whom it lies in the power of the Junto any way to encourage?"

"Have you lately observed any encroachment on the just liberties of the people?"

"Hath any body attacked your reputation lately? and what can the Junto do towards securing it?"

"Is there any man whose friendship you want, and which the Junto, or any of them, can procure for you?"

"Have you lately heard any member's character attacked, and how have you defended it?"

As a qualification of admission, it was required also, that each member should answer to the following questions:

"Do you sincerely declare that you love mankind in general; of what profession or religion soever?"

"Do you think any person ought to be harmed in his body, name, or goods, for mere speculative opinions, or his external way of worship?"

"Do you love truth for truth's sake, and will you endeavour impartially to find and receive it yourself and communicate it to others?"

The exigencies in which Franklin had passed his early youth, and the expedients he was forced to employ, that he might improve his fortune, drew him from all barren speculations towards those only, which might tend to ameliorate the condition and happiness of his species. All his leading enterprises appear to have been undertaken with a view to the public good; and even to those which might seem indifferent, he gave the same tendency. From incidents however minute, he extracted some salutary moral which had escaped vulgar observation. To practise virtue and propagate it amongst mankind, he considered as the common business of his life, nor did he suffer any effort which might contribute to that purpose to remain unemployed. Like Lycurgus, he wished that the praise of virtue and contempt of vice should be interwoven with all the actions and discourses of men, and that such images as tended to elevate the fancy and enlighten the understanding, should be per-

petually exhibited to their observation. Even upon the current coin of the country, as it was exposed to the frequent inspection of the multitude, he advised that instead of the image of a king or an emperor, some pious or prudential maxim should be engraven, which might leave a salutary impression upon the mind.

In 1732, he commenced, and continued for twenty-five years, the publication of "Poor Richard's Almanac;" a work of modest pretension and of humble title, which his fertile genius rendered, in addition to its utility as a calendar, subservient to the most essential interests of the community; especially by the diffusion of instruction amongst that class of the people, who by their poverty or laborious occupations, are usually deprived of this advantage. The last, of 1757, in which he collected the principal matter of the preceding numbers, was republished in various forms in Great Britain, and thence translated into foreign languages, was dispersed and read with great avidity throughout the whole continent of Europe.

To his printing establishment, he attached, about this time, a newspaper; which, besides the discussion of politics, he replenished with productions of poetry, history, eloquence, and such other subjects of polite literature, as he supposed would improve the taste and morals of his country. This paper, it is said, he kept unpolled by scurrillity, malignant personalities, or indecent arrogance, and sustained it in reputation, in those days, without departing from the sober rules of propriety.

Believing that those who attempt a reformation of the world, should themselves be irreproachable, he very reasonably accompanied his splendid theory of popular reform, by a rigid scrutiny of his private conduct. For this purpose he had recourse to an expedient with which he was for some time greatly enamoured; by the means of which, it appears, he even entertained the hope of arriving at "moral perfection." Having written upon a tabular catalogue, all those virtues which he thought essential to the perfection of the human character, he made upon this scale, every evening, a diligent examination of his conduct during each day; a practice which he pursued with his usual inflexibility of resolution, until such habits were confirmed as rendered this circumspection unnecessary; and although he fell short of his ultimate ambition, he ascribes to "this little artifice" much of the happiness of his life.

In the mean time he remitted nothing of his usual diligence in literary application. A few hours of each day were set apart for study, during which he qualified himself for discussing the political

interests of his country. He acquired also a competent knowledge of the Italian, and Spanish languages, and of the Latin, the rudiments of which he had been taught in his early youth. He studied, likewise, the French, and attained a greater proficiency in that language than is usually acquired by a foreigner; for he composed with accuracy, and conversed with almost the fluency of a native. Amongst his confederates of the "Junto," he obtained a small collection of books, for the purpose of reference in their debates, to which many volumes being occasionally superadded, he procured, at length, the establishment of the Philadelphia Library. This was the first institution of the kind in America; but from its manifest convenience and utility, the example was soon followed through the other towns of the provinces, and had a sensible influence, it is said, upon the manners of the inhabitants.

He published, in 1729, a pamphlet very highly approved, "concerning the Nature and Necessity of Paper Currency;" and employed otherwise his credit in promoting the use of that money; by which he acquired great favour with the public. He published about the same time, various essays in his newspaper upon popular topics, which being written in his usual fascinating manner, and the emulation of parties bringing them into notice, contributed also to the extension of his reputation. He was appointed by the government of Pennsylvania, official printer; his subscriptions increased, and he began to entertain every day more flattering views of futurity.

In 1736, he was chosen clerk of the general assembly, and in the following year, postmaster of Philadelphia; and being no longer overwhelmed by the blasting influence of domestic necessities, his genius began from this time to emerge, and to be employed in schemes of public utility. His first enterprise of municipal improvement, was to organize fire companies, to reform the watch of the city, and procure the paving and lighting of the streets; all of which, by his perseverance, he brought to a successful termination. He concerted and carried into complete success, in 1736, the establishment of the "American Philosophical Society," and of a college for the regular education of youth, none existing at that time in the colony, which, by successive amplification and improvement, produced the present University of Pennsylvania. He procured, also, a grant from the legislature, for the establishment and endowment of the Pennsylvania Hospital; and so much, indeed, did he contribute to the ornament, benefit and glory of this city, that he may justly be considered as its second founder: of a city, which, by the

influence of a few superior minds, has become the pride of this continent; and in the multitude of its benevolent institutions, in the arts of luxury and a numerous population at least, if not in love of science, or gratitude to its benefactors, may, at a period not very remote, emulate the most illustrious cities of the world.

It must not be forgotten that Franklin promoted, also, the honour and interests of the whole province of Pennsylvania, at this time, by providing for it a system of military discipline; an object which, by the impolitic religious scruples of the legislature, had been totally neglected; although it had been imperiously requisite for protecting the frontier from the atrocious massacres to which it was exposed from the invasions of the savages. To accomplish this enterprise, he first published a pamphlet, by which he disposed the public mind to favourable impressions; he then drew up articles of a military association, and procured their adoption in a convocation of the people; by the influence of which ten thousand men were soon assembled for the defence of their country; and under his auspices were trained to the use and exercise of arms. A commission was offered him, of high rank in the Philadelphia regiment, which he refused in favour of a person whom he supposed more competent to the discharge of its duties. Batteries were, at the same time, erected under his inspection, at the entrance of the town, from the proceeds of a lottery which had been procured for that purpose, by his instigation and management; and to so great a height of reputation had he now grown, for experience and capacity, that no scheme of public good was deemed rational, unless he had approved it; and no important enterprise will be found, which, during those days, was not conducted by his counsel and direction.

In 1741, he commenced the publication of a "General Magazine and Historical Chronicle for the British Plantations," which he conducted in addition to his Gazette. This work, to render it acceptable to the dogmatic spirit of his readers, is much interlarded and disfigured by controversial divinity; there is, however, much useful matter, moral, historical, and scientific, which does honour to the capacity and industry of the author. Nor were these labours unrewarded, for he received from all sides the most flattering and spontaneous testimonies of esteem, and from every branch of the administration the highest deference was paid to his opinions and authority.

The common and useful arts of life, whatever might be the nature of his leading occupations, never failed to occupy some portion of

his time and attention. He composed, and in 1742 published a treatise upon the improvement of chimneys; and contrived at the same time a stove, of very ingenious construction, which he made a present to the public, and which has not been supplanted by any subsequent invention.

The great diligence which he observed in the duties already assigned him in the government, and the eminent abilities he had discovered in conceiving and conducting enterprises useful to the state, advanced very rapidly his claims to preferment. By the governor, he was commissioned justice of the peace; soon afterwards alderman; and by the corporation was appointed one of the common council of the city. He was elected, in 1744, a member of the provincial legislature, and so unlimited a popularity did he obtain in that assembly, notwithstanding his deficient eloquence as a public speaker, that his election was repeated for ten years without the solicitation of a vote. He possessed, in an eminent degree, the talent of gaining men's affections; and if we consider how essential are the arts of insinuation to the accomplishment of all honest and useful enterprises, it must be allowed that to practise them skilfully is not the last degree of praise.

It is at this period that we are to notice the rise and progress of his philosophical reputation. In 1747, he had accidentally witnessed at Boston, a few experiments exhibited by some itinerant Scotchman upon electricity, which, though imperfectly performed, awakened his curiosity to that subject. Upon his return to Philadelphia, he repeated the same experiments with complete success, and adding others, of which he had received some account from England, the science, at length, wholly occupied his ambition. Thus by a trivial accident were elicited discoveries, which soon afterwards diffused his fame through the world, and drew upon his native country the regard and attention of all Europe.

Having acquired a dexterity in performing those experiments, which had recently employed the philosophers of the old world, he first accounted for various phenomena that were yet unexplained, and soon afterwards added some new and important discoveries of his own; such as of the power of points, in eliciting and throwing off the accumulated fluid; and of the negative and positive state of electricity. About the year 1745, he discovered various properties of the Leyden Vial; as the means of accumulating, retaining, and discharging any quantity of the electric matter with safety; an account of which he transmitted to London to his friend Mr. Collinson,

in 1747. He was the first who fired gunpowder, gave magnetism to needles of steel, melted metals and killed animals of considerable size, by means of electricity.

From his various observations upon this fluid, he was at length induced to imagine its identity with lightning. He attempted, therefore, to explain, upon this principle, the theory of thunder-gusts, and of the *Aurora Borealis*; and in 1749 conceived the design, the most sublime perhaps that has entered into the imagination of man, of drawing from the heavens its lightning, and conducting its terrific energy, harmless into the bowels of the earth.

The following is the account of this experiment, by Dr. Priestley, whose eminence in physical knowledge, and intimacy with Franklin, enabled him to give its particulars with minuteness and precision.

“Franklin, after having published his method of verifying his hypothesis concerning the sameness of electricity with the matter of lightning, was waiting for the erection of a spire in Philadelphia to carry his views into execution, not imagining that a pointed rod of a moderate height, could answer the purpose; when it occurred to him, that by means of a common kite, he could have a readier and better access to the regions of thunder than by any spire whatever. Preparing, therefore, a large silk handkerchief, and two cross sticks, of a proper length, on which to extend it, he took the opportunity of the first approaching thunder-storm to take a walk into the field, in which there was a shed convenient for his purpose. But dreading the ridicule which too commonly attends unsuccessful attempts in science, he communicated his intended experiment to nobody but his son, who assisted him in raising the kite.

“The kite being raised, a considerable time elapsed before there was any appearance of its being electrified. One very promising cloud had passed over without any effect; when, at length, just as he was beginning to despair of his contrivance, he observed some loose threads of the hempen string to stand erect, and to avoid one another, just as if they had been suspended on a common conductor. Struck with this favourable appearance, he immediately presented his knuckle to the key,—and let the reader judge of the exquisite pleasure he must have felt at that moment,—the discovery was complete. He perceived a very evident electric spark. Others succeeded even before the string was wet, so as to put the matter past all dispute; and when the rain had wet the string, he collected electric fire very copiously. This happened in June, 1752, a month

after the electricians in France had verified the same theory, but before he had heard of any thing they had done."

A relation of these experiments was communicated by Franklin himself, in letters to a friend in London. "Nothing," says Priestley, "was ever written on the subject of electricity more justly admired, in all parts of Europe, than these letters. Electricians every where employed themselves in repeating his experiments, or exhibiting them for money. All the world, in a manner, even kings themselves, flocked to see them, and all retired full of admiration for the inventor of them." In New England, by Yale College and that of Cambridge, a degree of Master of Arts was conferred upon him, in honour of his discoveries. By the Royal Society of London they were at first treated with a heedless or malignant inattention. On the continent, they were made public by the celebrated Buffon. The experiments were repeated before Louis XV. by M. De Loz, and were verified by many other philosophers; in Turin, by Father Beccaria; in Russia, by professor Richmann, who, in the experiment of the kite, perished by a stroke of lightning.

The reputation of Franklin had now become too notorious, not to excite, among the learned, some feelings of jealousy. In France, he met a transient but violent opposition from the Abbé Nollet; and the professors of England especially, attempted to detract from his praises; using many fruitless endeavours to invalidate the truth of his experiments, and finally to rob him of the honours of originality. But Franklin, in his scientific as well as his political career, though armed with all that good sense, that keen and sarcastic wit which would have insured him credit in a critical altercation, opposed his adversaries only by silence, and left to the peaceful but sure operation of time, the task of vindicating his merit. This he has himself given as a rule of prudence, as well as of magnanimity, and his own example has justified the wisdom of his policy; for the world is now filled with his fame, and his praises have ceased to excite envy or opposition.

It cannot be expected that we should here enumerate all the experiments that he made, or the treatises he has composed on the various branches of science; for there is scarcely any one that has not occupied some portion of his attention. He made several curious experiments upon the effects of oil in stilling the waters of the ocean; to ascertain whether boats are not drawn with more difficulty in small canals, than in great bodies of water; to improve the art of swimming; and to prove that thirst may be allayed by

bathing in sea water. He made observations, also, in his voyages to Europe, on the gradual progress of the north-east storms, along the American coast, contrary to the direction of the winds; and likewise, for the benefit of navigation, made experiments on the course, velocity, and temperature of the Gulf Stream. He made, also, curious observations upon the air; upon the relative powers of metals in the conducting of heat; and upon the different degrees acquired by congenial bodies of various colours, from the rays of the sun. He composed likewise an ingenious treatise upon the formation of the earth, and the existence of a universal fluid. Music, also, he cultivated with success, and wrote many letters on that science with great ingenuity. He revived and improved the Harmonica, and performed with taste upon that instrument. But we must now return to the narrative of his political transactions.

It was the peculiar advantage of Franklin, from his early youth, to have mingled business with study and speculation. Such was more frequently the education of the ancients. Some of their most famous poets were generals and admirals. Xenophon, Thucydides, and even Socrates, fought the battles of their respective countries, and enjoyed the highest trust in the administration of their governments. In modern manners the scholar, from a deficiency of practical experience or a love of solitude, is mostly unequal to the humblest employments, and often sinks under his load of erudition to obscurity, whilst more superficial qualities rise to the first honours of the state.

In 1758, he was sent by the provincial assembly to conclude a treaty with the Indians at Carlisle; and in the following year was appointed on a more important mission to Albany, where the British government had assembled a congress of commissioners to confer upon a plan of defence for the colonies, against the threatened hostilities of the French, and the incursions of the savages. While on his journey to this place, he devised and reduced to writing, a project for the coalition of the colonies, as far as might be requisite to their defence, under a single administration. A president for this general government, according to his plan, was to be appointed by the crown; a grand council by the provincial assemblies; and amongst the constitutional duties of the assembly, that of laying taxes was especially assigned to the representatives of the people.

But this measure, notwithstanding the unanimous concurrence of the congress, was, by the provincial legislatures, almost unanimously rejected, as affording to the royal officers an authority too

ample and dangerous; and the British ministers, on the other hand, had too much discernment not to discover that the tendency of such a union was unfavourable to their designs of government; which, at the same time that it afforded to the colonies vigour and protection from their enemy, furnished them, by placing them in a military posture, the means of resisting the sovereignty of the mother country. It was therefore rejected with equal promptitude on their part, as "savouring too much of democracy." It was then resolved, after deliberation, as an expedient more safe and prudent, that the measures of defence should be committed to the governors and their councils, who were generally under the implicit control of the British government; and that the sums expended in that object should be reimbursed by act of parliament laying a tax upon the colonies. To this scheme, especially the latter part of it, Franklin exerted the most strenuous opposition, during which he discovered, as subsequent events have testified, the most intimate acquaintance with the interests and passions of his countrymen. In his correspondence with the governor of Massachusetts, on this subject, not only did he employ all the leading arguments that were urged with greater diffusion during the revolution, but predicted, with the most unerring precision, all the fatal consequences that would result to the British government from such impolitic pretensions.

About this time he was appointed, upon the decease of the deputy postmaster-general of America, to supply his place in that office; an office hitherto unproductive, but which, by various improvements, and by prudence and dexterity of management, he rendered a very fruitful source of revenue to the crown. In this station he afforded to General Braddock the most substantial aid in carrying on his operations against Fort Du Quesne: not only by personal services, which were left without any other reward than the thanks and approbation of the general, but by contributions of money, which, by the issue of that wild and fatal expedition, and the negligence of the British government, were never repaid.

By the defeat of Braddock, the whole province was exposed to the inroads of the barbarians and French, who extended even to the interior of the country their devastations and ravages. Profiting by the occasion, Franklin introduced into the assembly a bill for the establishing and training a voluntary militia; an object, which, as he pursued it with eagerness, and as the fears of the majority prevailed over their religious scruples, he was enabled, after many exertions, successfully to accomplish. He afterwards raised, at

the solicitation of the governor, a small body of troops, which he marched to the protection of the frontier; performing a campaign which required, indeed, much labour and diligence, but which furnished little opportunity for the acquisition of glory, or the display of military abilities. Having erected the necessary fortifications, he was recalled to a scene of life more congenial to his habits and inclinations. In military affairs he usually pleaded incapacity; and having been altogether bred up to civil pursuits, it is probable that the technical operations of war had engaged no considerable share of his attention. He possessed, however, beyond doubt, many of the great talents of a soldier; courage, stratagem, patience, and activity; and had his inclinations led him to the profession of arms, he had not served his country, in that capacity, without glory.

By the contentions which for a long period had existed between the people of Pennsylvania and the proprietary government, and which the present exigencies of the state had increased to an unusual height of animosity, Franklin was called to a more important theatre for the exertion of his abilities; and now, for the first time, engaged in those political competitions and factions which engrossed, almost without intermission, the residue of his life.

Of the American colonies, some, from their origin, had enjoyed the privilege of choosing their own executive and judicial officers; and by this benignity of fortune advanced, without discord or obstruction, in the career of their prosperity; amongst the rest, the executive authority was either vested in the crown, which gave birth to many furious contentions, that often impeded the most salutary measures of the administration; or finally, was delegated, by charter, to individuals, who under the denomination of proprietors, exerted this power by themselves or deputies, and transmitted it to their posterity; which latter system of policy proved least compatible with the happiness of the people. Thus the Carolinas languished for half a century under the counsels of the proprietors, and flourished only when relieved from the influence of their inauspicious and aristocratical domination.

Under the auspices of its illustrious founder, this system of government, in Pennsylvania, was not unprosperous; but became too ponderous and unwieldy for the less potent arm of his successors to sustain it. The venerable illusions which had supported the institutions of Penn were, in the age of Franklin, no longer effectual; men were now to be governed by mere human authority, and to be deceived by less holy and innocent expedients. The great dispute

now in agitation, was occasioned by an attempt of the proprietors to exonerate their private estates from taxation, and their refusing to give their sanction, even in times of extreme necessity, to the appropriations for the defence of the province, unless this immunity were confirmed. Franklin arrayed himself, with eagerness, against the pretensions of the executive; and from his abilities as a writer, and extensive popularity, soon became their most formidable antagonist. The proprietary faction, sensible of the weight of his influence, set themselves with emulation to conciliate his favour. All that could manifest their extreme affection for him; expressions of civility, protestations of regard, offers of preferment, with all the persuasions of gentle language, they employed to propitiate his good will or deprecate his hostility. But Franklin, who of all men living, was least subject to that softness of human nature, which renders honest men the dupes or instruments of knavery, pursued, without deviation, his honourable purpose.

At length the pertinacity with which the proprietors urged their pretensions, drove the assembly to refer their cause to the jurisdiction of the mother country, and Franklin was appointed to proceed thither as advocate of the province. He undertook this office without reluctance, embarked upon his voyage in June, and arrived in London in July, 1757.

The task of Franklin was, on this occasion, not only to enlighten the ignorant and animate the indifferent, but to dissipate prejudices, and to repress the calumnies of those who desired to encroach upon the interests of his clients. In the execution of this task, the consideration which he already enjoyed as a man of letters and science, by procuring him the acquaintance of many powerful individuals of the government, afforded him very important facilities. He also made use, in his turn, of the public journals, in which he combated with great ability, the efforts of his opponents; representing their administration not only as destructive to the colonial interests, but reproachful to the character of the British nation. Finding it, however, necessary to descend to an explication more minute and definite on this subject, he published, in 1759, the "Historical Review of Pennsylvania," in which he traced the whole policy of the proprietary government, through its progressive stages, up to his own time. This work, which was published anonymously, as a composition is considered to be inferior to the generality of his writings; but notwithstanding the uninteresting nature of the subject, and the haste in which it was composed, there appeared suffi-

cient of the good sense of Franklin, and of the sprightliness of his genius, to draw upon it the attention of the public; and it is supposed to have contributed very essentially to the success of the negotiation. The proprietary party at least, whatever may have been the cause, gradually abated their pretensions, and assented to such terms of accommodation as satisfied the wishes of the province.

The turbulence and disorders arising from these frequent contentions of the colonies with their governors, were in a great degree counterbalanced by many beneficial consequences. They created, amongst the people, a propensity to political discussions, taught them to reason upon the principles of government, upon their constitutional privileges and relations with the mother country, and nourished that spirit of liberty, which bore them with so much felicity through the perils of their glorious and important revolution.

The excellent capacity for business which Franklin discovered in this negotiation greatly increased his popularity amongst his countrymen; and he was now intrusted with the additional agencies of Massachusetts, Georgia, and Maryland; it spread also his reputation more extensively through England, and consequently enlarged the circle of his usefulness in that country. He formed connexions with a great number of persons of eminent rank and influence; and profiting by their intimacy, and by the observations his situation enabled him to make upon mankind; upon the policy of states and arts of life; qualified himself to perform, with distinction and success, the many enterprises in which he afterwards engaged for the interest and glory of his country.

He travelled; at this time, into Scotland, and there, as in England, cultivated several useful acquaintances. He contracted a friendship with Lord Kaimes, which, notwithstanding the intervening storms and turbulence of the revolution, subsisted with intimate familiarity until the termination of their lives; and his letters to that distinguished scholar form a very pleasing and instructive portion of his published correspondence. He was now elected, with special honours, a member of the Royal Society, and was admitted to the highest degrees in some of the Scotch and English universities.

A party, at this period, existed in England, who sought to draw off the attention of the British cabinet from the war of Germany, to the conquest of the French possessions in America. With these, Franklin united his endeavours; and possessing a minute knowledge of the country; a species of knowledge, too, in which the wisest statesmen of England had shown a shameful deficiency; he became

instrumental in projecting and carrying into effect the expedition against Canada under General Wolfe. He published, likewise, a pamphlet to favour the same object, which, rendering the enterprise a subject of more general attention, had no inconsiderable influence, we may reasonably suppose, in the final acquisition of that territory to the British government.

By this conquest his countrymen were not only relieved from the vicinity of a dangerous enemy, which for half a century had occupied them with perpetual wars and alarms; and procured leisure to attend to their domestic politics; but acquired, during the warlike operations of this contest, a respectable share of military discipline, and a consciousness of their own strength, by a comparison with the British troops and with those of their enemy; and if we admit also that a spirit of revenge for the loss of their provinces, prompted the French to a more willing alliance with the Americans during the revolution, we must regard this conquest as no inconsiderable event in the production of our independence.

In the summer of 1762, he returned to America. Upon his arrival, the assembly of Pennsylvania voted him their thanks for his meritorious services, which, as a more solid testimonial of their approbation, they accompanied with a compensation of five thousand pounds; and as his election had been continued during his absence, he resumed, without interruption, his seat in the house.

In 1763, he travelled into the northern colonies to inspect and regulate the post offices; performing a tour of about 1600 miles. At his return he was named commissioner to raise troops for the defence of the frontier, at that time infested by the incursions of the savages. Some insurrections, also, which broke out in the interior of Pennsylvania, in which about twenty of the peaceful Indians were murdered by the inhabitants, and other acts of violence threatened, afforded him much laborious and ungrateful employment. He wrote, on this occasion, a pamphlet, which rendering the proceedings of the rioters unpopular and odious, served not a little to strengthen the arm of the administration, and restore peace to an impotent and disorderly government.

In the mean time the proprietary faction, repenting of the facility with which they had relinquished their former pretensions, began to resume them with increased importunity; and the assembly entertaining, at last, no hope that they would abandon privileges, upon which they had set so high a value, determined to petition the king for the entire abolition of their authority. Franklin, by whose

counsels this measure was principally recommended, encountered a violent opposition, and by the intrigues and activity of his adversaries, was at length excluded, by a small majority, from the assembly, where he had held a predominant influence during fifteen years. The power of his friends was nevertheless prevalent in the house, and he was appointed, to the great regret of his enemies, to resume his agency at the court of England.

After having encountered many obstructions on the part of the governor and his adherents, he set sail from America in November, 1764, and in the following month arrived, for the third time, in England; where the many friends, whom his former visits to that country had procured him, greeted his return with an affectionate welcome. After a year's residence in London, profiting by a suspension in his political business, he made an excursion into Holland and Germany, and in the year following to Paris: in which countries, even during this rapid perambulation, he formed many useful and illustrious acquaintances. In the latter place, especially, where a knowledge of his reputation was already extensively circulated, he was received with marks of unusual distinction.

The famous project which the British ministers had formed of taxing their colonies, had been communicated by their agents to the provincial assembly in 1764, some time before the departure of Franklin from America; against this measure he was amongst the first and most ardent in proclaiming his opposition; and being at this time high in reputation, his influence, we may reasonably suppose, was not ineffectual in diffusing the same sentiments amongst his countrymen. On his arrival in England, he presented a petition against the projects of the ministry, of which he had himself been the principal instigator, from the Pennsylvania assembly; and whatever additional opportunities his situation afforded him, he employed with the utmost zeal and industry, to obstruct the further progress of this law, from which he anticipated so many unhappy and fatal consequences.

And when the malignant influence of the ministry had carried their stamp act into effect, his exertions were not intermitted; but uniting with the minority, he interposed his utmost endeavours against it; first to obviate evil consequences, and finally to procure the abrogation of that noxious statute; and though his efforts were insufficient to arrest the headlong torrent by which he was opposed, they were at least not ineffectual in diminishing its destructive force and rapidity.

During the violent altercations which arose upon the merits of this subject in parliament, it was proposed by the party in opposition, in order to obtain more ample and authentic information concerning the interests and feelings of the Americans, that Franklin should be interrogated publicly before the house of commons. Accordingly on the third of February, 1766, he was summoned to attend the house for that purpose; an order which, as it afforded him a splendid opportunity of favouring the designs of the opposition and the interests of his country, he promptly and cheerfully obeyed; and to this expedient the advocates of the repeal were not a little indebted for the success of their exertions. Franklin, independent of the weight of his pre-established reputation upon public opinion, possessed, in a very eminent degree, all those natural endowments and acquired abilities, which, in such a conjuncture, would render his co-operation honourable and effectual; besides a dignity of appearance, a prompt and sagacious understanding, and a mind equally unmoved by the illusions, and undismayed by the insolence of power, he had, by the occupations of his life, acquired concerning the politics both of America and England, all that minute and extensive knowledge, which was especially requisite to the illustration of the subject in agitation.

He contrived, in concert with his friends in the house, to introduce upon this occasion, nearly all the important topics of the controversy; which he treated with a solidity and acuteness of reasoning, a diffusion of knowledge and dignity of manner, that not only extorted the commendations of his enemies, but exceeded even what his friends, in their highest admiration, had conceived of his genius and abilities.

The whole of this examination, being published, was read with the greatest avidity both in America and England. In America it produced in his favour the liveliest emotions of gratitude; and in both countries added greatly to the lustre of his reputation.

In the part, however, which he took in the first stages of this contention, it is apparent from the general tenor of his politics, that he entertained no further design than that of vindicating the constitutional liberties of his country; and that no ambition of her independence had at this time entered his imagination. He endeavoured, therefore, with the utmost zeal and sincerity, to effect an accommodation, and employed during his examination, and in all his writings and conversations, every argument which he supposed would tend to accomplish that honourable purpose.

When the repeal of the stamp act was accomplished, he continued still his endeavours to extinguish the angry passions which had been kindled by the operation of that law, and to obtain from the parliament a still further abatement of their injurious and offensive regulations. Various circumstances, however, concurred in rendering this, as well as all succeeding efforts of the same nature, unsuccessful.

The resolutions of the town of Boston, published early the next year against the importation of foreign merchandise, affecting the interests of trade in England, and being devised in opposition to the commercial system of the parliament, excited an immoderate clamour, and revived the badly extinguished animosities, in both countries; for the enemies of the late repeal not only resumed, under the favour of this and other circumstances, their authority in the nation, but soon extended their pretensions beyond their former bounds; and representing the Americans as ungovernable and rebellious, growing more insolent and refractory by indulgences, were now resolved to exercise no further measures of lenity and condescension towards them.

Although the encouragement of useful manufactures was a favourite policy of Franklin, with regard to America, having a tendency to preserve his country from the corrupting effects of foreign luxuries, and to lessen her dependence, he nevertheless observed the resolutions of the Bostonians, in this critical juncture, with concern; and at the same time that he approved their spirit, he considered the measure untimely, and tending only to defeat those designs which a more gradual and gentle progress might have brought to a happy issue. Endeavouring, however, to draw the best consequences from a policy he did not approve, he became, in England, its strenuous vindicator, and by exhibiting the grievances upon which it was founded, strove to counteract the hostility which his adversaries were labouring to excite against it.

But the ministry, from the general strain of his writings and conversations upon this subject, perceived that he was becoming, as they expressed it, "rather too much of an American;" and knowing how considerable an influence he must necessarily exercise over the politics of the colonies, they had recourse to flatteries and corruption in order to bias his inclinations, and to enlist, if possible, his services in favour of the ministerial party. Several individuals of high rank in the government began to express an extreme solicitude for his welfare; and spoke with the warmest protestations of

friendship, of the offices which they had designed to confer upon him should he be pleased to remain in England. It was rumored that he was to be made secretary of state for the colonies. The Duke of Grafton observed "that it should not be his fault if Franklin was not provided for;" and Lord North, too, "hoped that he should find some means to make it worth his while to stay." A few oblique threats were at the same time added by others, to give greater force to these persuasive insinuations; and a resolve was even moved by Lord Sandwich, to deprive him of the office he then held, of deputy postmaster-general.

These arts were met by Franklin with the language and conduct of a skilful politician. Whilst, on the one hand, he avoided any expression which might compromise his honour and reputation with regard to his native country, he did not, on the other hand, discourage any hopes which these gentlemen might be pleased to entertain of his facility or compliance with their wishes.

His situation was one which required much political address; for, to preserve the opportunity of serving his constituents with effect, by maintaining a familiar intercourse with the members of government, while in England, it was necessary that he should appear, at least, the common friend of both countries; a policy which required a more gentle strain of complaisance and moderation, than corresponded at that time with the violent passions of his countrymen; and which exposed him sometimes to suspicions of coldness or infidelity to their interests. He continued, however, under this pacific character, conscious that the final determination of the public would be in his favour, to vindicate the liberty and honour of his country.

His answers, in 1769, to Mr. Strahan, to a series of questions which were proposed, it is said, by the instigation of the ministry, are among the circumstances of this period which deserve to be mentioned to his credit. All the grievances of which the colonies complained, with the regulations which they deemed essential to the security of their liberties, are detailed in these answers, with great pregnancy of reason and sentiment, and the consequences of the ministerial proceedings foretold, at their conclusion, with a precision of foresight which is not a little remarkable.

Although, to serve more effectually the interests of his country, he still kept up these discussions, and maintained some appearance of impartiality, it is sufficiently manifest, from the condition of affairs at this period, that he could have entertained but a faint hope of any amicable accommodation.

When the formation of a general congress was proposed, he was among the most active in advising that measure; believing that the appearance of such a national confederacy, would give to their cause a greater confidence amongst foreign nations, and if obliged at last to take up arms in defence of their liberties, would enable them to carry on their operations with a greater concert and probability of success.

The discovery and publication of Oliver Hutchinson's letters, which occurred about this period, (1772,) though highly honourable to the memory of Franklin, were attended by a variety of circumstances, which exposed him to the censure and malignity of his enemies. These letters of the governor of Massachusetts and his deputy, being studiously circulated in England, were at length, by some person, wishing to employ his good offices towards both countries, conveyed to Franklin; and as they contained many injurious representations of the colonies, not only justifying the acts of violence which had already been exercised by the ministry, but advising a continuation of the same measures; considering it an obligation of his office, as agent of the colony, he transmitted them immediately to his constituents; hoping thus to transfer from the principal parties, their resentment against these intermediate instruments whose intrigues had fomented and aggravated the existing dissensions.

On the reception of these letters in America, a petition was immediately transmitted by the assembly of Massachusetts, praying from the crown a speedy removal and punishment of such dangerous and unworthy counsellors.

The manner by which the letters were discovered, for obvious and justifiable motives, Franklin had originally concealed; but learning that the suspicion had fallen upon an innocent individual, who on that account had been implicated in a duel, he immediately published, as far as permitted, his share of the transaction; causing a paragraph for that purpose to be inserted in the public journals. He was not indeed ignorant that, by leaving the name of the person who had originally conveyed him the papers, according to his plighted faith, in obscurity, he exposed himself to the malicious imputations of his enemies. He performed the task, however, without hesitation; suffering no considerations of this nature to prevail over what he conceived to be for his own honour and the interests of his country.

At the meeting of parliament, the petition which he had received

from the assembly, he presented to the ministry; expressing his desire that an occasion so favourable should not be unimproved, of appeasing those dissatisfactions which had been so mischievously fomented between England and her colonies. But the ministers, more intent upon personal interest than upon measures of policy, which might promote the honour and advantage of their country, had resolved to make use of this convenient opportunity, of exciting a clamour against the Americans, and of bringing into disreputation their importunate agent; knowing that any story to his disadvantage would easily find credit amongst the zealots of their party. The petition was, therefore, set aside for several months, and in the mean time many insidious slanders were, by their malicious industry, put in circulation against him. And although these very men were at this time in possession of the most important correspondence of Franklin, transmitted by their secret agents from America, the promulgation of these letters of Hutchinson they represented as a most treacherous and disgraceful transaction; and the press was employed to emblazon the story and proclaim its infamy to the whole world. Trusting, however, that the general tenor of his actions would, in the end, prove a sufficient apology for his conduct, he made no direct refutation of their slander; but continued, without any reference to personal abuse, to exert his ability in defending the interests of his country, and in obstructing, in his usual manner, the measures of the administration. Of the political essays which he published at this time, several pieces, from the excellent wit and sarcasm with which they abound, are yet read with interest, and have been preserved in the various compilations of his writings.

The merits of the petition came, at length, to be discussed on the twentieth of January, 1774, before the privy council, and Franklin, as agent of the colony, was ordered to appear before that assembly. Here, his enemies, to gratify their ungenerous animosity, designed to consummate the many acts by which they had attempted to blast his reputation, by a personal and public insult. They were attended by a large concourse of spectators, who had been invited to partake of the edifying spectacle; and a Mr. Wedderburne, a gentleman who appears to have been, both by natural endowments and acquired abilities, well qualified for such an office, was appointed to act as counsel for the governor and his accomplices. He had become, by long experience in forensic litigation, extremely expert in the dialect of scurrility, and had surmounted all that sense of shame which restrains men of honour within the limits of propriety and decency.

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The orator lost no time in arguments for his nominal clients, but turning at once upon Franklin, who sat in unsuspecting security, poured upon him the full torrent of his vulgar and abusive rhetoric. A coward, a murderer, a thief, are a few of the terms which he employed upon him. And these gentle appellations, he so seasoned with sallies of wit and sarcasm, as excited universal amusement, and kept every visage of this grave assembly in a state of perpetual irrision. The president on one occasion laughed aloud; and the contagious joy spreading through the multitude, the whole scene was concluded, it is said, with great acclamation and obstreperous merriment. It is recorded, indeed, to the great honour of Lord North, that he alone expressed no approbation of these proceedings; which may be remarked as not the least powerful evidence of their extreme indecency and impropriety.

Franklin, during the whole of this outrage, looked on with an unaltered countenance; suffering neither the obloquy of Wedderburne, nor the sneers of the illustrious audience, by any apparent symptoms, to molest his tranquillity; so that not only his enemies were disappointed in their anticipated victory, but, by throwing a new lustre upon his virtues, contributed essentially to extend his reputation. There are few incidents that, in the lives of great men, convey a more exalted opinion of their superiority, or inspire a more lasting veneration for their characters, than that of supporting the insults of power with dignity and composure. To the friends who came to salute him, at the conclusion of this adventure, he expressed only his surprise, that in the supreme council of a nation, once so reputed for wisdom and generosity, there should be entertained so vulgar a sense of propriety and decorum.

The whole of this transaction, when we reflect upon the various circumstances which attended it, and especially upon the venerable age of the man who was the object of such opprobrious treatment, and upon the numerous benefits which his virtues and genius had conferred upon mankind, cannot be sufficiently detested.

The animosity of his enemies was, however, not yet appeased. To gratify still further their illiberal malice, they removed him from the office, which he had a long time filled with honour and abilities, of deputy postmaster-general; they interrupted the payment of his salary, which he had heretofore received in England, as agent of the colonies; and finally, they instituted against him a suit in chancery concerning the above-mentioned letters of Hutchinson; which latter expedient they contrived, it is said, to prevent any discussion

he might be disposed to attempt in relation to that subject. This was, however, a nugatory precaution; for of these personal injuries he had resolved to make no account; sensible that the universal reproach which they had incurred by their indecent management of the whole business, would afford him, in the minds of all reasonable men, a sufficient vindication. But the events of this period, though he thought proper to dissemble his resentment against their authors and contrivers, it is evident, from the tenor of his future conduct, made a deep and lasting impression upon his feelings. During the remainder of his residence in England, he absented himself from the ministerial levees; and wrote on his passage to America, a minute and circumstantial detail of these transactions, which has been introduced by his grandson in continuation of his *Memoirs*.

The friends of Franklin, ashamed of the ill usage he had received, and sensible how inappropriate it was to his age, merits, and character, now treated him with increased attention and civility. Even his enemies, perceiving that their ungenerous persecutions had turned the public favour on his side; in alleviation of the dishonour they had incurred, made advances of politeness towards him: and very few, however rancorous the antipathy they bore him, were willing to acknowledge any concurrence in a transaction, which had proved so dishonourable to the authors of it. Conscious of the great influence which Franklin maintained over the measures and counsels of the colonies, they set themselves to court his favour. A communication was sought for this purpose through the medium of common friends; to which, as it afforded him an opportunity of discovering their pretensions, and of urging the rights of his countrymen, he willingly acceded. Many conferences were held, and many weeks of continual and laborious application, spent in discussing the interests of each party, and in drawing up such a plan of conciliation, to be presented to the ministry, as it was supposed would prove acceptable to their wishes, and if not accomplish an immediate reconciliation, tend to soften at least the animosities of both countries, which the rancour of controversy had now so greatly inflamed.

The persons employed on this occasion were very judiciously selected; Mr. Berkley, Dr. Fothergill, Governor Pownal, Lord Hyde, and Lord Howe; men of moderate politics, and with all parties, of the highest estimation and authority. The house of Mrs. Howe, sister to the latter nobleman, and a lady, according to the account of Franklin, of uncommon merit and accomplishments, was the place of their meetings; she courted the visits of Franklin by an in-

vation to chess, a game for which she heard of his partiality ; during which, she commended his skill and entertained him with very intimate discourses upon science, politics and philosophy. Her brother then, and his colleagues, conducted their plans with much ingenuity. The doctor declaimed pathetically of civil wars, and of the efforts and sacrifices that ought to be made to obviate their calamities. Lord Howe, especially, expressed, for the abilities of Franklin, the greatest deference, and desired that he would accompany him as his secretary, or as a friend and counsellor, to America, where he was about to proceed under commission of the administration ; assuring him that he might expect the most generous and ample employments, should an accommodation be effected by their mutual exertions, suitable to the dignity of the British government. He offered, likewise, to procure him the immediate payment of his salary, which had been suspended, and begged that the ministry might be allowed the present opportunity of testifying their favourable dispositions towards him. The same magnificent promises were reiterated, in an interview with Lord Hyde, who assured him that, by co-operating with the ministers, he would not only be honoured in England, but “rewarded perhaps beyond his expectation.” These arts were extremely plausible, and the more dangerous, as they were disguised under the mask of benevolence and friendship. But Franklin had now grown old and wise in the knowledge of mankind, and was no longer plastic under the hands of knavery.

To the overtures of these noblemen, he made, however, such replies as corresponded to the occasion ; as were required by his own dignity and the relations he bore towards them. One of the ruling maxims of his life, was to live, as far as possible, in good terms with the world, and by honourable condescensions and mildness, rather to diminish the number of his enemies, than aggravate their animosity, by any display of passion or reciprocation of injuries. To Mr. Berkley, however, with whom he had lived on terms of intimacy, and could use an unceremonious discourse, who likewise importuned him with the same topics of pensions, places and emoluments, he replied, that the ministry, in his opinion, would give him a place in a cart to Tyburn, rather than any other at their disposal.

The arguments and sentiments used during this conference, have been detailed by Franklin in his *Memoirs* ; and as regards either capacity or patriotism, are highly honourable to his memory. He drew up, at the request of the ministerial agents, a project in writing,

in which he comprehended all the essential injuries of which the Americans complained, and the principles upon which alone an accommodation could be effected; introducing such reflections and illustrations as were required by the interests of the discussion.

These negotiations, which had been prolonged by both parties, perhaps with no further design than that of discovering the extent of each other's pretensions, were at length ended, by the arrival from America, of the transactions of the first congress; which caused much excitement in England, and now furnished new subjects of debate and speculation.

On the first of January, 1775, Lord Chatham introduced into the house of lords, his celebrated plan of conciliation, on the subject of which he had sought with Franklin frequent and public interviews. He professed great esteem for his character, and, in the affairs of America, the highest deference for his advice and opinions. "I pay you these visits," said he, "that I may rectify my judgment by yours, as men do their watches by a regulator."

Lord Chatham, having explained and supported his motion, was followed in reply by Lord Sandwich; who, in the course of a very passionate harangue, declared that this motion of Chatham's was disgraceful to his name, and should be rejected with contempt; that he did not believe it to be the production of any British peer; and added, turning towards Franklin, who leaned upon the bar, "I fancy I have in my eye the person who drew it up: one of the bitterest and most mischievous enemies that this country has ever known." Under this allusion, so severe and offensive, although it drew upon him the observation of the whole assembly, Franklin remained, as if unconscious of the application, with a composed and unaverted aspect; or to use his own expression in relating this story, "as if his countenance had been made of wood." Chatham replied that were he the first minister of the country, he should not be ashamed to call publicly to his assistance, a person so eminently acquainted with American affairs, as the gentleman alluded to, and so ungenerously reflected on; "one," he added, "whom all Europe holds in the highest estimation, for his knowledge and wisdom; whom she ranks with her Boyles and her Newtons; who is an honour, not to the English nation only, but to human nature."

Franklin now perceived that the contention had reached to a crisis when his presence was no longer necessary in England; and that the government had resolved to prosecute their measures of violence, against the colonies, to the last extremity. He prepared, therefore,

for his return to America, that he might aid his countrymen by his counsels, in the prosecution of the war which he saw approaching. Other circumstances also occurred which tended to hasten his departure : he received intelligence about this time, that his residence in England was no longer secure ; that the ministers were preparing his arrest, either that they might detain him in captivity, or inflict an exemplary punishment upon him as the promoter of rebellion : nor had he great reason to suppose that they, who had so grossly outraged the principles of generosity towards him, in gratifying their malevolence, would feel a very scrupulous regard for the sacredness or formalities of justice.

On his voyage homewards, to relieve his mind from the fatigues of business, he employed himself in philosophical speculations, and made some of those ingenious experiments which are found among his writings, on the waters of the ocean. He wrote, also, a circumstantial detail of the whole of his public operations during his absence.

This portion of his history should not be concluded without adding to it, the following remarks of Dr. Priestley. "It is probable," says he in his *Memoirs*, "that no man now living was better acquainted with Dr. Franklin and his sentiments, on all subjects of importance, than myself, for several years of the American war. He took every method in his power to prevent a rupture between the colonies and the mother country. He dreaded the war, and often said, that if the differences should come to an open rupture, it would be a war of ten years. That the issue would be favourable to America, he never doubted. The English, he used to say, may take all our great towns, but that will not give them possession of the country. By many persons, Franklin was considered as so callous, that the prospect of all the horrors of a civil war would not affect him : this was far from being the case. A great part of the last day that he passed in England, we spent alone together. He was looking over a number of American newspapers, directing me what to extract for the English ones ; and in reading them, he was frequently not able to proceed for the tears literally running down his cheeks. To strangers he appeared cold and reserved ; but where he was intimate, no man indulged more in pleasantry and good humour. By this, he was the delight of a club to which he alludes in one of his letters to me, called the *Whig Club*, of which Dr. Price, Dr. Kippis, and others of the same stamp, were members."

He arrived in the beginning of May, 1775, in Philadelphia, and

was received with all those marks of esteem and affection, which his eminent services merited. His zealous exertions for the welfare of his country, which had already drawn upon him the warmest applauses, now opened his way to the highest honours of the state. Immediately on his arrival, he was elected by the legislature a delegate to the general congress; to which he added, in the opinions of all men, a new lustre and authority; and although advanced beyond the vigour of life, he shared in its most important toils with incessant activity. He was the chief instrument in procuring the issue of the paper money employed in the expenses of the war; he projected a *chevaux de frize* for the protection of Philadelphia, then the residence of congress; and by that body was sent on a mission to Canada to solicit the co-operation of that province with the general confederacy. With these labours, he managed also the duties of the general post-office, at the head of which he had been placed by congress; and finally, in procuring the Declaration of Independence, he contributed his endeavours with the utmost zeal and application; nor can we ascribe to his authority and exertions a small share in the accomplishment of that auspicious and glorious resolution; for besides the general influence of his reputation and abilities, the intimate intelligence, which a clear inspection of the designs of the British cabinet was supposed to have procured him, caused his opinions and arguments to be relied on, in the discussion of the measure, with much favour and condescension.

Amongst the inhabitants of the colonies, there were many who, though passionately devoted to the cause of liberty, fearing that their strength might prove insufficient to achieve and maintain their independence, were yet irresolute; and some who believed that their grievances, though violent, were not sufficiently aggravated to authorize a general rebellion, and who still entertained a hope that some amicable composition of their differences might yet be effected. Franklin, whose experience had forced him into the conviction that the quarrel must now proceed to extremities, endeavoured early to dissipate these delusive and dangerous opinions. On the other hand, he strove, in the various letters which at this time he wrote to England, to impress the belief, not very common with their best friends in that country, of the unanimity of the colonies, and their resolution of resorting to arms in defence of their violated liberties. By the following extract of a letter to Dr. Priestley, we shall see the general strain of his correspondence: "Britain, I conclude, has lost her colonies for ever. She is now giving us such a miserable

specimen of her government, that we shall ever detest and avoid it as a complication of robbery, murder and pestilence. If you flatter yourself with beating us into submission, you know neither the people nor the country. You will have heard before this reaches you, of the defeat of your troops, by the country people of Lexington; of the action of Bunker's Hill, &c. Britain, at the expense of three millions, has killed one hundred and fifty Yankees, this campaign. During the same time, sixty thousand children have been born. From these data the mathematical head of our dear good friend Dr. Price will easily calculate the time and expense that may be necessary to kill us all. Tell him, as he has sometimes doubts and despondencies about our firmness, that America is determined and unanimous."

No sooner had the English troops landed upon the territory of the colonies, than, as if exempted from all the ordinary restraints of humanity, or believing that any mercy shown to its criminal and rebellious inhabitants would derogate from the dignity of their sovereign, they set themselves with emulation to ravage and plunder it; and not satiated with the blood they had shed upon the field of battle, exercised against the miserable prisoners who fell into their hands, the most licentious and barbarous ferocity. These circumstances excited through the whole continent, sentiments of indignation and revenge; and Franklin, who had by this time been sufficiently weaned of his English partialities, under the influence of these events, appears to have been transported beyond the ordinary moderation of his character. Of the papers which he offered to congress about this time, the expressions were considered by his colleagues, notwithstanding the violent passions with which they themselves were animated, too acrimonious, and the sentiments too indignant for the occasion. With many of his friends, with whom he had heretofore lived in familiar intercourse, and even with his nearest relations of opposite politics, he suppressed until the conclusion of the war, all further correspondence; and some of his letters are now extant, which manifest, in a high degree, the warmth and exasperation of his feelings.

In May, 1776, he was appointed with John Adams and Edward Rutledge to hear certain propositions of English commissioners who had arrived upon the coast, whose purposé was to propose terms of accommodation, or rather "offer pardon, upon submission," to the American congress. Of these commissioners the principal was Lord Howe, who immediately on his arrival addressed a letter,

accompanying his official papers, to his "worthy friend and old acquaintance," Dr. Franklin, in the hope of enlisting his influence in promoting the great object of "the king's paternal solicitude." The following is an extract, which deserves to be selected, from Franklin's reply, as highly honourable to his patriotism and abilities.

"Directing pardons to be offered to the colonies, who are the very parties injured, expresses indeed, that opinion of our ignorance, baseness, and insensibility, which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentments. It is impossible we should think of submission to a government that has, with the most wanton barbarity and cruelty, burnt our defenceless towns in the midst of winter; excited the savages to massacre our peaceful farmers; and our slaves to murder their masters; and is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every spark of affection for that parent country we once held so dear: but were it possible for *us* to forget and forgive them, it is not possible for *you* (I mean the British nation) to forgive the people you have so heavily injured."

In July, 1776, Franklin, in addition to his various occupations, was appointed president of the convention, held by the advice of congress, for the purpose of giving a new form of government to the state of Pennsylvania. The constitution then organized, principally by his advice and authority, which consisted of plural executive and single legislature, has since been altered.

The affairs of the colonies began, towards the close of the year 1776, by a rapid series of disasters, to wear a melancholy and threatening aspect. When the congress, in this emergency, had resolved to apply to some foreign power for assistance, their attention was naturally turned towards Franklin; his age, experience and knowledge of the European courts, had qualified him eminently for such a service; and his love of liberty and secret feelings towards England were such that he was not likely to fail in vigour or activity in the execution of its duties. He was, therefore, appointed commissioner to the court of France: that government, it was well known, would not be displeased with any circumstance which could give disturbance to the power of an inveterate rival; or neglect any opportunity which should be offered, of healing the wounds which in the last war had been inflicted on the reputation and glory of her arms; the remembrance of which she had borne with indignant impatience. Franklin, though he had designed, after the many

fatigues he had undergone in foreign embassies, to spend the evening of his life in his native country, seeing the importance of the emergency, accepted, without hesitation, this appointment; and in the end of October, 1776, in the seventy-first year of his age, set out upon this voyage.

He had already taken some steps to sound the intentions of the European governments, and to enlist the affections of influential individuals, in the interests of America, as early as the year 1775. He had carried on, for this purpose, and under the sanction of congress, a correspondence with Holland; as may be seen by his letters to Mr. Dumas of Amsterdam. And in a literary correspondence with Don Gabrial, prince of Bourbon, he used every effort to conciliate the favour of the Spanish government.

At his departure from America, he placed the whole of his possessions in money, between three and four thousand pounds, in the hands of congress, by which he testified his confidence in the success of their cause, and induced others of more wealth to imitate his example. After a boisterous and dangerous voyage, but without any memorable occurrence, he arrived in Paris in the latter part of December, and was greeted with all the attentions which could gratify his feelings and confirm the expectations which he had entertained in favour of his country; but after a very short residence in the capital, he retired to the neighbouring village of Passy, and resided there during the whole of his subsequent stay in France.

The high reputation which in earlier life he had acquired, as well as the particular causes of his present visit, procured him, on his arrival in France, an easy access to all those individuals of the government who were most conspicuous for their influence and authority; whose acquaintance he assiduously cultivated, and whose friendship and co-operation became powerful auxiliaries, to the accomplishment of his future projects. The French cabinet was at this time filled with men of very estimable characters, all of whom were unanimous in their personal attachments towards him. By the minister, de Vergennes, he was received, on his arrival, with the most polite affability, and during the whole of his residence at court treated with every mark of esteem and confidence. But that which contributed as much as any other cause to his success, was the reputation he enjoyed amongst men of science and letters; for this class of people possessed, at that time, a predominant influence in the nation; gave a tone to the public sentiment, and in a very essential degree determined the policy of the government.

But notwithstanding a war with England was a national passion with the French; and the most pathetic sympathy, especially by the military part of the kingdom, which was eager to engage in the quarrel, was now expressed towards the American cause; there were many circumstances which Franklin had to encounter, that obstructed the immediate success of his operations. Kings are ever averse to patronize rebellion, however their present interests may be promoted by it; and subjects are ever in the wrong, in their estimation, when placed in opposition to their sovereign. The affairs of the colonies were also reduced, at this time, to a dangerous extremity, and by many regarded as desperate; the French cabinet was influenced by a politic and cautious ministry; fearing, therefore, that after a declaration, they might either by a forced or voluntary reconciliation of their allies, be left to sustain the conflict alone, and perhaps repent of their precipitation, resolved to maintain, at least, until the issue should appear less problematical, a concealed and ambiguous policy. The nation had, besides, been much exhausted by the efforts of a preceding war, and contemplated a new one with timidity and hesitation. They afforded, indeed, some clandestine assistance, made many professions of benevolence, and secretly promoted the disturbances, but observed all the outward appearances of the strictest neutrality.

Every effort which, on this emergency, depended upon Franklin, was eminently exerted, to rouse and animate the desponding spirits of his friends, and to dissipate their well-grounded apprehensions. In all his conversations and writings, even during the gloomiest period of disaster, he expressed his fullest confidence in the final success of the revolution, and by a pamphlet which he published at this time, and very widely dispersed, representing the resources of the Americans in a most favourable aspect, he endeavoured to spread the same sentiments throughout Europe.

The surrender of General Burgoyne's army to the provincial troops, the news of which reached France in October, 1777, and which occasioned very joyful sensations in that country, was an occurrence, the beneficial consequences of which Franklin did not permit to remain unimproved. This was close followed by other important advantages; and the French rulers, from this period, began to listen with a more prone attention to his suit, which he continued to urge with increased industry. In this conjuncture, he addressed to the government an elaborate memoir, which contains many very ingenious and persuasive arguments, and which we may

reasonably suppose, had no inconsiderable effect in hastening their determination. The American ambassadors were recognised, and the treaty of alliance was concluded, with the court of Versailles, on the sixth of February, 1778. Franklin, conscious of the great accession of strength and dignity his country had acquired by this alliance, did not conceal the emotions of his joy and exultation. It was remarked that, in token of his triumph, and in gratification of a resentment too legitimate to be censured, he wore, on this occasion, the same dress in which he had received the abuse and mockery of the privy council.

Although the intelligence of this treaty with France, he knew, would be most gratefully received by the majority of congress and the people in America, he was aware that there were not wanting persons in that country, even amongst the warmest partisans of the revolution, who entertained disquieting apprehensions concerning it. He therefore extolled, in all his communications with congress, its benefits, and in a manner honourable to his own sensibility, the generous humanity of those who had been the instruments of its accomplishment.

After the conclusion of the treaty, the great advantages derived from the influence of Franklin in Europe, were not diminished; and the services that were imposed upon him became every day more complicated and laborious. Besides his duties as minister, he served for several years as consul, no person being appointed to fill that office; as judge of admiralty for commissioning privateers, examining their papers, and determining the legality of their captures; and moreover, as merchant, to make purchases and direct the shipping of stores, to a great value, that were sent to America. He was encumbered also with a great variety of subordinate business, as the answering letters, receiving and accepting bills of exchange, requiring the most tedious exertion, and many other matters wholly foreign to his ministerial functions, and which the scantiness of his resources often rendered extremely painful as well as laborious; for, to support the credit of his government, and prevent the protest of their drafts, he was often subjected to the most humiliating expedients, in procuring assistance from the exhausted treasury of the French, and from other countries of Europe. All which laborious services, it should be remembered, in order to appreciate justly his merits, were performed, not only under the frequent interruptions of a violent disease, but at the age of fourscore years; a period of life, when other men have usually disappeared from the scene of activity.

During these transactions in France, he received a commission from congress, to negotiate a treaty of commerce and friendship with the court of Spain, and he laboured with his usual ardour and ingenuity to accomplish that object; but the Spaniards choosing to await until the course of events should justify their determinations, offered, in their replies, but feeble hopes of success; and Franklin, perceiving their temporizing policy, at length treated the subject with merited indifference. "They have taken four years," says he, in a letter to Mr. Jay, who was then negotiating at Madrid, "to consider whether they would treat with us; give them forty, and let us mind our own business."

Amongst the ambassadors of other countries then residing at Paris, he supported, in the same spirit, the dignity of his station and character; and in his intercourse of visits with them, suffered no neglect of any of the punctilios of honour and ceremony, which are observed towards each other by the ministers of independent nations. When the Russian ambassador, whose card being left at his door had occasioned a return of the supposed civility, betrayed much alarm at the accident, Franklin with his usual composure observed, that he perceived no cause of embarrassment; "Prince Bariatinski has but to *erase my name* out of his books of visits received, and I will *burn his card*."

But for the attention paid him by foreigners, even where political motives, in some degree, repressed it, he had no cause of complaint. The American revolution was almost universally regarded with favour, and considered as an enterprise the most important that, for many ages, had occupied the attention of the world; so that from his public station, joined with the great weight of his private character, he was viewed with a respect and consideration, that perhaps no individual, amongst the inhabitants of a foreign country, has ever enjoyed. In attestation of this fact, the examples are without number. The Swedish ambassador had particular instructions to ascertain whether he had such powers as would authorize his making a treaty with Sweden: the king being "desirous to have such a transaction with one whom he so greatly esteemed." The Emperor Joseph II., at this time on a visit to Paris, sought also an interview with him, which was only prevented by some unavoidable business. To these testimonies, we may add further, that of the court of Denmark, in replying by the minister of foreign affairs to his memorial respecting American prizes delivered up to Great Britain "Were you," says the Count de Bernstorff, "a person less

known and respected, I should have been quite at a loss on the subject of the letter which I have had the honour of receiving from you. I should have considered it as a measure calculated to place us under a new embarrassment as painful as the first; but there is no risk with such a sage as you are, sir, generally revered by that universe which you have enlightened, and known for that prevailing love of truth which characterizes the well-informed man and true philosopher. These are the titles which will transmit your name to the latest posterity, and in which I am particularly interested in relation to this unfortunate affair."

When the news of the French alliance reached England, it kindled much alarm in the nation, and the ministry of course employed their utmost activity to counteract its effects. Commissioners were deputed to America with propositions of peace, which they appeared now willing to purchase by every concession short of independence. A secret negotiation was, at the same time, set on foot with Franklin; in which they endeavoured, with much address, insinuation and flattery, to seduce him to a separate accommodation, or to enlist his interest in preserving some portion of their expiring authority; employing as emissaries for this purpose, several influential individuals with whom he had lived in intimacy and friendship while in England. To the solicitations of Mr. Hutton, who was first employed on this ministerial mission, he wrote: "I never think of your ministry and their abettors, but with the image strongly painted in my view, of their hands red, and dropping with the blood of my countrymen, friends, and relations: *No peace can be signed with those hands.*" To the other deputies, Hartley, Pultney, and Chapman, members of parliament, his communications are in the same strain. "Get first an honest ministry; drop all your pretensions to govern us; think no more of separating us from our allies, and you will find little difficulty in making peace upon equal terms. In proposing terms, offer Canada, Nova Scotia, and the Floridas, to America. If you would have in her a real friend as well as able ally, and avoid all occasion of future discord, which will otherwise be continually arising on your American frontiers, you should throw in those countries."

The efforts were renewed in personal conversations, in one of which Franklin was warned to beware of his personal safety, which he had learned from many sources had been threatened, he observed, with thanks to Mr. Hartley for the caution, that having nearly finished a long life, he set no value upon the remains of it. "Perhaps," said

he, "the best use such an old fellow can be put to, is to make a martyr of him."

The abilities and integrity with which Franklin disappointed these intrigues, which were continued in various forms until the conclusion of the war, is a just subject of commendation.

In 1782, when a change in the British cabinet, and the general hatred to which their politics had been exposed by their ill success in the operations of the war, concurred in heightening the prospects of a peace favourable to the Americans, he still continued his exertions with the same unremitted assiduity; encouraging his countrymen and their allies, rather to increase than to remit their zeal, until the great object which they had pursued through so many toils and dangers should be accomplished.

The extreme unwillingness of the British government to acknowledge the independence of the colonies, induced expedients to dissolve the bonds of the American and French confederacy. The French appeared, about this period, to entertain some diffidence of their allies; nor were there wanting men of influence in America, to aggravate injurious suspicions; even to advise a separate treaty with England, and disapproving the gentle and temperate conduct of Franklin, to throw out many violent reflections against him.

Much praise has been bestowed very justly upon the capacity of Franklin in creating this alliance; nor is less due to the diligence which he employed in preserving the union of elements, so discordant, in the midst of devices so ingenious and efforts so laborious, as were employed to accomplish their dissolution. It was this connexion with the French, as he believed, that had given weight to his country with England and respect throughout Europe; to the co-operation of their arms he ascribed, in a great measure, her signal success, and he preserved personally towards these benefactors of his country, a sincere and lasting attachment. In all his communications with America, he endeavoured to inculcate the same sentiments, and the motives of honour, of gratitude and interest, which urged a continuation of their mutual friendship. In a letter to Mr. Hurly, he wrote, "I should think the destruction of our whole territory, and the extirpation of our whole people preferable to the infamy of abandoning our allies."

After frequent conferences had been held on the subject of accommodation, the English government in 1782, consented, after much hesitation, to renounce her claims of sovereignty, and to treat with the colonies as free states. The dissensions which arose during the

negotiation concerning boundaries, fisheries, restitution of confiscated property, and other objects of this nature, were extremely tedious and intricate. The labour of Franklin was, however, divided by the arrival of his colleagues, Mr. Adams, Mr. Jay, and Mr. Laurens; and the business was, by their mutual exertion, very auspiciously accomplished; advantages being gained very far beyond what either in France or America had been anticipated; and if we may judge from the strain of the letters of Franklin, far beyond his own expectation. The treaty was concluded definitely and with the implicit approbation of the French government, on the third of September, 1783. It diffused great joy in America, and gratitude to all those by whose instrumentality it had been successfully accomplished.

This business, now happily terminated, which he regarded as the consummation of the great labours of his life, Franklin solicited, on the score of his advanced age, his feeble health, and his long and complicated services, the liberty of returning to his native country. It was not, however, until the year 1785, that by the appointment of Mr. Jefferson to succeed him, he was finally released. In the mean time he negotiated treaties between the United States, the kings of Sweden and of Prussia. An article of the latter highly honourable to his memory, and one which he had attempted without success to introduce into his negotiations with Great Britain, was the prohibiting from the injuries of war, the property and persons of unarmed individuals.

The affectionate intercourse which, during his residence near Paris, he enjoyed amongst the inhabitants of that polite city, afforded him, in his labours and disquietudes, a most agreeable diversion; and consoled him in no inconsiderable degree, for his long absence from his native country. "There appeared to me," said his successor, Mr. Jefferson, "more respect and veneration attached to the character of Dr. Franklin, in France, than to that of any other person in the same country, foreigner or native."

He visited assiduously, the French Academy of Sciences, where he was hailed, at all times, with the most respectful homage, and where he enlarged the circle of his extensive and honourable acquaintance. It was here that occurred, at a numerous and splendid meeting of this assembly, his well known rencontre with Voltaire. This celebrated writer, like himself, had approached the last scene of a long and eventful life; and, from the extraordinary admiration which his talents had excited amongst his countrymen, was now re

ceived after an absence of twenty-seven years from his native city with the most lavish profusion of honours. The apposition of two men, born in regions of the globe so remote, and who in their different spheres had exercised so powerful an influence upon mankind; of men so respectable by their age, as well as by their transcendent genius and the occupation of their lives, was viewed with sentiments of tenderness and admiration. At their meeting, they embraced each other affectionately, as ancient friends after a long absence, and were hailed by the repeated acclamations of the assembly. "It is Solon," said some one in the crowd: "It is Solon in the arms of Sophocles." It is related that at one of these meetings, Franklin, leading by the hand his grandson, and presenting him to Voltaire, asked his benediction; and that the latter, in placing his hands upon the head of the youth with patriarchal solemnity, pronounced aloud in the English language, "*God and Liberty*:" adding, "this is the only device that becomes the grandson of the great Franklin."

The praises also, which were bestowed in France, upon his countrymen, for the valour with which they had conducted the enterprises of the war, afforded him a frequent source of satisfaction. "How happy," said he in a letter to General Washington, "should I be to see you in Europe; to accompany you, if my age and strength would permit, in visiting some of its ancient and famous kingdoms. You would on this side of the sea enjoy the great reputation you have acquired, free from those shades that the jealousy and envy of a man's countrymen and contemporaries are ever endeavouring to cast upon living merit. Here you would know and enjoy what posterity will say of Washington; for a thousand leagues have nearly the same effect as a thousand years. The feeble voice of those grovelling passions cannot extend so far in time or distance. At present I enjoy that pleasure for you, as I frequently hear the old generals of this martial country, who study the maps of America, and mark upon them all your operations, speak with sincere approbation and great applause of your conduct, and join in giving you the character of one of the greatest captains of your age."

As a means of relieving the seriousness of his official business, he wrote and printed, while at Passy, some important papers on the subject of Philosophy; and besides many pieces of humour, which are extant in the late collection of his works, chiefly designed for the inspection and amusement of his friends; such as the "Dialogue between Franklin and the Gout," and the "Petition of the Cats of Madam Helvetius to their Mistress." These are written with grace

and elegance, and afford a very pleasant specimen of that sprightliness and good humour, which had accompanied him in all the diversities of his earlier life; and which, even in the infirmity of old age and disease, had not forsaken him.

The reputation for science which he had acquired, as on the one hand it procured him many civilities, on the other, exposed him to the unceasing importunities of authors and inventors. Among the incidents of this nature, one of more than common importance, from the great impression which it made at that time on the public, was the supposed discovery of animal magnetism by Mesmer; for the investigation of which, he was appointed with a committee, at the express solicitation of the king, and contributed, by his authority, which has, however, not altogether prevailed to discredit it.

Perceiving a daily aggravation of his diseases, and the powers of life rapidly declining; and as nothing now remained to detain him, he made haste to set out upon his voyage to America. On his departure, he received from the government, and from the nobility and gentry of Paris, most flattering testimonials of esteem. His extreme infirmity of health not allowing him to endure, without injury, the motion of a carriage, the queen's litter and mules were sent to convey him upon his journey to the place of embarkation.

He had now resided in France, without interruption, during nearly ten years; and we may reasonably suppose that he did not without a sincere regret, take leave of a place, in which he had received honours and distinctions that have rarely fallen to the lot of an individual to enjoy in a foreign country.

Of the effects of his exterior appearance amongst the fashionable societies of Paris, he appears indeed to have been fully sensible, and has given himself a description of his person to a female correspondent, with much pleasantry. "Figure me in your mind," says he, "as jolly as formerly, and as strong and hearty, only a few years older; very plainly dressed, wearing my thin grey straight hair, that peeps out under my only *coiffure*, a fine fur cap, which comes down my forehead almost to my spectacles. Think how this must appear among the powdered heads of Paris!" The same circumstances of his singular costume have been mentioned by many of the French writers; and there is scarcely any one of note, in politics or science, from whom some honourable testimony in favour of his character might not be given; but having already transgressed our limits, we must restrain our wishes on this subject.

Having stopped a few days in the south of England, he proceeded

on his voyage, which was prosperous, and arrived on the fourteenth of September, 1785, in the harbour of Philadelphia. During his passage he made experiments on the sea air; wrote a considerable treatise on "Improvements in Navigation:" one on the cause and cure of smoking chimneys, and a third describing a stove for consuming all its own smoke. An extraordinary proof of the force of early habits and discipline, and of the zeal with which he had dedicated his thoughts to the interests of his fellow creatures. He was now broken down by the pressure of eighty years, and by the rage of an excruciating disease, and yet reserved no portion of his time for indulgence or recreation, but still continued, as in the activity and prime of life and vigour of health, to subserve the purposes of humanity.

The news of his arrival at Philadelphia, diffused every where an universal congratulation. It was announced by the ringing of bells, by bonfires, and discharge of artillery. He was attended at his landing by the members of congress, of the university, and by the principal citizens, who, formed into processions, went out to meet him; and amidst their acclamations, was conducted to his dwelling. From public assemblies of every description, he then received the most affectionate addresses; all testifying their great joy at his return, and their veneration for his character: the voice of General Washington also, who in a public letter greeted his arrival with the same benevolent sentiments, was added to the general strain of eulogy and felicitation. By his particular friends and relations, he was embraced with the most cordial welcome; enjoying amongst them, as he expresses it, "peace and plenty, with all the pleasures of a friendly conversation, and liberty, without which man loses half his value."

This scene of his life, which, in many of his letters, he has described with a peculiar satisfaction, is highly interesting. It is in these domestic relations, that the generous qualities of men, and those certainly which are most precious in the eye of heaven, are best discovered: it is here too, that they enjoy the most refined pleasures that are allotted to the condition of human nature. "I am now," says he, "in the bosom of my family, and find four new little prattlers, who cling about the knees of their grandpapa, and afford me great pleasure. I am surrounded by my friends, and have an affectionate, good daughter and son-in-law to take care of me. I have got into my *niche*, a very good house which I built twenty-four years ago, and out of which I have been ever since kept by foreign employments."

He was not, however, permitted, notwithstanding his long services, to pass away the evening of his life amidst these scenes of tranquillity and retirement. He was appointed very soon after his arrival, president of the commonwealth of Pennsylvania; an office which he occupied during the constitutional term of three years, and discharged its duties with a prudent and equitable administration. He was afterwards elected delegate to the federal convention of 1787, for organizing the constitution of the United States; and in the intricate discussions which arose on that subject, he bore a very distinguished part, and his remarks and speeches, on this occasion, are of no inconsiderable interest; both as an evidence of his political sentiments, and as a lesson of instruction on government; upon which his personal experience, his extensive reading and long observation of the policy of European states, had furnished him ample materials for reflection.

In the debates which arose concerning the organization of the legislature, he sustained, indeed, in common with many others of the convention, some peculiar and unsuccessful opinions. In his private economy, all useless ornaments and expenses he had magnanimously rejected; and in the administration of a republic, was the avowed enemy of all luxury or ostentation. The doctrines, therefore, he especially insisted on, and which he illustrated with great force of argument and eloquence, were the right of equal suffrage, and depression of public salaries; and above all, the discouragement of ambition and avarice, which he considered as the great constitutional evils of all free states.

In the constitution as it was finally adopted, he not only concurred himself, but recommended to the other members a unanimous acquiescence. He became afterwards its most strenuous advocate, as may be seen from his correspondence with his friends in Europe, and from the various writings he has left in approbation of it. His "Comparison of the Ancient Jews and the Conduct of the Anti-Federalists," a paper written with great ingenuity and felicity of allusion, he concludes in the following manner, which may sufficiently indicate how beneficial he supposed that system of government would prove to the glory and interests of his country. "I am not be understood to infer, that our general convention was divinely inspired, when it formed the new federal constitution; yet I can hardly conceive a transaction of such momentous importance to the welfare of millions now existing, and to exist in the posterity of a great nation, should be suffered to pass without being in some de-

gree influenced, guided, and governed by that omnipotent, omnipresent, and beneficent ruler, in whom all inferior spirits live, and move, and have their being."

At the conclusion of his presidency, his great age, and especially his diseases, which had now reached a dangerous aggravation, admonished him to withdraw from the scene of public business, and to resign the short remnant of his days to retirement. He did not, however, disengage himself altogether from political concerns; nor did he look back when standing upon the confines of another world, without a generous concern upon that community for which he had employed the energies and cares of his life. Several of his writings, tending to promote useful institutions and the general interests of humanity, bear date at this period; and when entirely disabled from going abroad, by his infirmities, the various societies, of which he was president,—the *Philosophical Society*; that for *Political Inquiries*; for *Alleviating the Miseries of Public Prisons*, and for *Promoting the Abolition of Slavery*, held their meetings at his house to enjoy the benefit of his counsel and co-operation in their proceedings.

The observers of human life have remarked that men of letters preserve their powers of intellect, whilst others terminate their career of old age by a state of miserable dotage. We may add the example of Franklin, in corroboration of the doctrine. When the violence of his diseases had confined him, in 1790, altogether to his bed, he still employed the intervals, which the remission of his acute pains allowed him, in conversation, or epistolary correspondence; and from his letters and other writings of this period, it is sufficiently apparent that in destroying his corporeal faculties, time had made no hostile impression upon his mind; either in impairing the vigour of his judgment, or humbling the flights of his imagination. His "African Speech," which he wrote and published towards the end of March of this year, whether we consider its excellent composition, inimitable humour, or force of reasoning, is scarcely surpassed by the most perfect of his early writings.

For the manner in which he bore his sufferings, and the aspect in which he viewed his approaching dissolution, we also refer to this interesting correspondence. "You kindly inquire after my health," says he in a letter to his favourite niece; "I have not much reason to boast of it. People that will live a long life, and drink to the bottom of the cup, must expect to meet with some of the dregs. However, when I consider how many terrible diseases the human

body is liable to, I think myself well off that I have only three incurable ones, the gout, the stone, and old age.

When he had approached to the very close of his life, he reasoned thus coolly with a friend: "Death is as necessary to the constitution as sleep: we shall rise refreshed in the morning. The course of nature must soon put a period to my present mode of existence. This I shall submit to with the less regret, as having seen, during a long life, a good deal of this world, I feel a growing curiosity to become acquainted with some other; and can cheerfully, with filial confidence, resign my spirit to the conduct of that great and good Parent of mankind, who created it, and who has so graciously protected and preserved me from my birth to the present hour."

On the seventeenth of April, 1790, in the eighty-fourth year of his age, he expired in the city of Philadelphia; encountering this last solemn conflict, with the same philosophical tranquillity and pious resignation to the will of Heaven, which had distinguished him through all the various events of his life. In his will, he enjoined that all pomp or ostentation should be avoided in the celebration of his obsequies; that no monumental ornaments should be lavished on his tomb: the former of which injunctions his cotemporaries appear, however, to have disregarded, for he was buried with great concourse and ceremony; but the latter has yet been observed by their descendants with inviolable fidelity.

He was interred on the twenty-first of April, and congress ordered a general mourning for him throughout America, of one month. In France, the expression of public grief was scarcely less enthusiastic. There the event was solemnized, under the direction of the municipality of Paris, by funeral orations; and the National Assembly, his death being announced in a very eloquent and pathetic discourse, decreed that each of the members should wear mourning for three days, "in commemoration of the event;" and that a letter of condolence, for the irreparable loss they had sustained, should be directed to the American Congress,—honours extremely glorious to his memory, and such, it has been remarked, as were never before paid by any public body of one nation to the citizen of another.

He lies buried in the north-west corner of Christ Churchyard; distinguished from the surrounding dead, by the humility of his sepulchre. He is covered by a small marble slab, on a level with the surface of the earth, and bearing the single inscription of his name, with that of his wife, and the year of his death. A monument sufficiently corresponding to the plainness of his manners, the

simplicity of his character, and the even tenor of his life—No inscription could have recorded his merits; no monument could express the obligations of his posterity!

He had two children, a son and a daughter, and several grandchildren who survived him. The son, who had been governor of New Jersey under the British government, adhered during the revolution to the royal party and spent the remainder of his life in England. The daughter married Mr. Bache of Philadelphia, whose descendants yet reside in that city.

Franklin enjoyed, during the greater part of his life, a healthy constitution and excelled in exercises of strength and activity. In stature he was above the middle size; manly, athletic and well proportioned. His countenance, as it is represented in his portrait, is distinguished by an air of serenity and satisfaction; the natural consequence of a vigorous temperament, of strength of mind, and conscious integrity. It is also marked, in visible characters, by deep thought and inflexible resolution. Very rarely shall we see a combination of features, of more agreeable harmony; an aspect in which the human passions are more happily blended or more favourably modified, to command authority, to conciliate esteem, or to excite love and veneration.

His colloquial accomplishments are mentioned by those who knew him, in terms of the highest praise. From the great diversity of life which he experienced, from his extensive intercourse with the world, he had stored his memory with a variety of knowledge extremely curious and interesting; and besides the diffusion of thought and sentiment with which he animated his discourse, it was enlivened, in his peculiar manner, by ingenious illustrations, pointed sentences and aphorisms, and mostly seasoned by a vein of good humour and pleasantry, which he appears to have carried even into his most important and serious transactions; and which, in all societies, amongst the sprightly and morose, the old and young, learned and illiterate, recommended him to peculiar favour and attention.

The experiments which he made in science, amidst the continued intrusion of business, on objects too, which seemed to require a long life of labour and reflection; which had occupied men of the brightest genius and capacity, enjoying besides the most transcendent advantages of education, must afford an ample testimony of the vigour of his intellects and grandeur of his conceptions. Nor can we doubt, from what he has achieved, had he possessed from early youth, leisure to prosecute his studies without interruption, and to improve

his understanding to the proportion of his natural abilities, that he had attained the ultimate dignity of letters, and have disputed, perhaps, with the old world the palm of philosophy and science.

Of his domestic manners and private life, which are considered as the truest test of the value of the human character, there exists the most unequivocal and honourable testimonies. The correspondence of his family and relations abounds with the tenderest expressions of regard for him. Of his intimate acquaintance, those who loved him in his youth, were the companions and friends of his old age; and those who have survived him, retain an undiminished affection and veneration for his memory.

He bore adversity with courage, patience and dignity; and prosperous fortune with the most commendable moderation. Amidst the splendours of monarchy, where he spent a great portion of his life, and in all his intercourse with the fashionable world, he retained the simplicity of his dress and manners; discovering in no instance any solicitude to conceal the obscurity of his origin. On the contrary, he inquired, whilst in England, into the history of his relations, with a most laudable piety; visiting the remote place of their nativity for that purpose. To his parents, also, while they lived, he showed the most dutiful regard, and after their decease, he erected a tomb upon their ashes, and paid every decent tribute to their memory. These incidents are not the less worthy of commemoration, as they are unusual with those who, from humble life have emerged into pre-eminence and dignity.

The necessities of his early life; the perpetual struggles which he maintained to improve his fortune and to procure the means of subsistence, had given him habits of severe and patient economy; and observing the multitude of evils which arise from negligence in domestic management, he endeavoured in his writings, to inculcate amongst the people precepts of order and frugality, and dwelt upon this subject with a frequency of repetition and a fervour, that will scarcely be discovered in the speculations of any other writer; but as, from the ignorance and malignity of the world, discretion, which is the perfection of human reason, is often ascribed to insidiousness or cunning; so economy, which is the very source of generosity, is sometimes imputed to meanness or avarice. The deep concern, however, which on all occasions he manifested for the interests of the poor, who constitute so considerable a portion of mankind, we may use as an evidence, and perhaps the strongest that could be adduced, of the beneficence and generosity of his nature. We might

also, in illustration of this part of his character, refer to the charitable appropriations of his last will, and to many individual acts of humanity extremely honourable to his memory; to the many useful political and literary institutions, and benevolent societies, which he founded, and which grew into importance under his munificent protection. Kings and princes had cheerfully contributed to his estate, had he consented to receive their benefactions, and preserve the reputation of a loyal subject, rather than hazard, not only his hard-earned fortune, but his life, in the dangers of an almost impracticable revolution.

On the other hand there is not perhaps the same reason to commend the liberality of his countrymen. During the season of his utility he received indeed many endearing testimonies of regard; but it must be held also in remembrance, that the eminent services of this man, who is indeed the great glory of our continent, received during his life no essential remuneration, and that no adequate honours have, since his death, been paid to his memory.

In a full exposition of his character, we should necessarily have detailed the other great qualities by which he was so variously distinguished; his sobriety, temperance, extraordinary perseverance and resolution; his devotion to his country, candour, intrepidity and placability in resentment; his scrupulous veracity, constancy in friendship, and his fidelity to all other civil and moral obligations; but this variety of excellence is so directly inferred from the incidents of his life, and so implied in a knowledge of his writings, that a more particular notice might seem superfluous and impertinent. The more secret and minute peculiarities of his character can be recorded only by those whom a personal intimacy has enabled to observe them; and his imperfections are so lost in a life of virtuous and glorious occupation, that we must leave the care of detailing them, to those who have more leisure and sagacity for the investigation.



RES. OF JOHN MORTON,
LEWIS, N. H.

JOHN MORTON

JOHN MORTON was one among those primitive labourers in the vineyard of independence, the fruits of whose toil are so gloriously ripening, but of whom few memorials have descended to our times. His ancestors were among the first Swedish emigrants who settled on the Delaware, between the Christiana and Wickecoke, in the suburbs of Philadelphia. The name of Morton appears among those of the first occupants and proprietors of the townships of Springfield and Ridley. He was born in the year 1724, in the township of Ridley, in the county of Chester (now Delaware), about four miles from Upland (now Chester.) His father, John Morton, was united in marriage to Mary Richards. He died in his youth, previous to the birth of the son who was destined to render his name as imperishable as liberty. His widow was again married to an Englishman, named John Sketchley, who regarded the offspring of the former union with a care truly friendly and paternal. Being a skilful surveyor, he instructed his young step-son in that and other branches of the mathematics, and soon discovered, from the rapid proficiency which he acquired, that he was the tutor of no common scholar. The space of three months comprehended all the advantages that John Morton ever acquired from instruction in a public school. His education was superintended and directed, at home, by Mr. Sketchley, and what he acquired from that source, was improved and expanded, through the agency of talents which ranked among the first in the county. He was employed in surveying, and in farming the paternal estate, until public business engrossed his attention, and summoned him to the more conspicuous walks of life.

About the year 1764, he received the commission of a justice of the peace, and was soon after appointed a representative in the general assembly of Pennsylvania, of which he was an active and influential member, and, for a long time, the speaker.

John Morton was a member of the celebrated stamp act congress, which met in New York, in 1765, in consequence of a circular letter addressed to the legislative assemblies of the several British colonies

on the continent, by the house of representatives of the province of Massachusetts. The first measure of this congress was a declaration of the rights and grievances of the colonists, which asserted them to be entitled to all the rights and liberties of natural-born subjects of Great Britain, among the most essential of which, were the exclusive right to tax themselves, and the privilege of a trial by jury. A petition to the king, together with a memorial to each house of parliament, drawn up with temper and firmness, were also agreed on.

In the year 1766 or 1767, the sheriffalty of the county becoming vacant by the death of the incumbent, some months previous to the stated time of election, Mr. Morton was appointed by the governor to supply his place; and, at the next general election, having offered himself as a candidate for that office, he was elected by an overwhelming majority. He executed the duties of his station with satisfaction to the public, and credit to himself, during the term of three years. Soon after the battle of Lexington, which opened the drama of war, by rousing the resentment of every American, and by diffusing the spirit of military enthusiasm throughout the land, a battalion of volunteers was formed in the neighbourhood of his residence, who chose, for their colonel, Mr. Morton; but other public engagements prevented him from accepting the commission. About this time, he was appointed one of the judges of the supreme court of Pennsylvania; having before held, with dignity and ability, the office of president-judge of the court of general quarter sessions, and common pleas.

But the point on which his claims to the grateful recollection of posterity principally depends, is involved in the act of granting his support, and affixing his signature, to the Declaration of Independence. On the twenty-second of July, 1774, he was appointed, by the assembly of Pennsylvania, a delegate to the first congress, held in Philadelphia, in September of that year. He was instructed to assist in forming and adopting a plan for the purpose of obtaining redress of American grievances, of ascertaining American rights upon the most solid and constitutional principles, and for establishing that union and harmony between Great Britain and the colonies, which was considered necessary to the welfare and happiness of both.

Mr. Morton was re-elected to congress on the fifteenth of December, 1774, and took his seat in that body on the tenth of May following, at the meeting of the second congress. On the third of November, 1775, he was again appointed a representative, while serving as speaker of the house of assembly; and on the twentieth of July, 1776, he was elected, for the last time, a member of the great national council.

In deliberating on the momentous subject of independence, Mr. Morton found himself called upon to act with firmness and decision, on a most trying and responsible occasion. It is a fashionable thing at the present day, and one which sometimes constitutes a large proportion of the pseudo-patriot's claims to distinction, to rail without mercy or discrimination, against all those who, at any time, either before or after its adoption, have dared to breathe a suggestion against the Declaration of Independence. In this sweeping condemnation, there is no distinction made between those who opposed the principles of the measure, and those who doubted its expedience at the particular moment of its adoption. Now, a respectable portion of the most earnest and unshaken advocates of the cause, men who never were, and never could be doubted, as pure and irreproachable patriots, were averse to sealing the separation of the two countries, without a further and more serious consideration of a subject, so pregnant with fearful and unknown events. No wonder, then, that Mr. Morton experienced the most intense anxiety of mind, when he was required to give the casting vote of the Pennsylvania delegation; a vote which would either confirm or destroy the unanimity of the Declaration of Independence; a vote upon which hung the important decision whether the great state of Pennsylvania should, or should not, be included in the league which bound her sister colonies together. On the fourth of July, 1776, when the question was about to be decided, deep interest was excited with regard to the states of Delaware and Pennsylvania, which had previously voted in opposition to independence. The opportune arrival of Mr. Rodney secured the voice of the former, and the absence of two adverse members of the Pennsylvania delegation reduced it, in number, to five:—these were James Wilson, Benjamin Franklin, Charles Humphreys, Thomas Willing and John Morton. Mr. Wilson and Dr. Franklin were decidedly in favour of, and Mr. Humphreys and Mr. Willing opposed to the measure. Every thing rested on the determination of Mr. Morton; the interests of one of the largest states on the continent, were at stake; its secession from the common cause might have been productive of the most pernicious consequences; and the honour of the country, and of the cause, demanded cordiality and unanimity. He enrolled his vote in favour of independence; but the mental anxiety which he experienced in so novel and solemn a situation, and the great responsibility which he had incurred in case the measure should be attended with disastrous results, preyed upon his peace, and is confidently said to have accelerated, if it did not cause, his dissolution.

He served with ability and judgment, on many important committees, during the term of his service in congress; and he was chairman of the committee of the whole, during the organization of a system of confederation, finally agreed to, on the fifteenth of November, 1777.

John Morton possessed a disposition at once lively, sociable, friendly and humane. Overpowering the deficiencies of early education, by the strength of his mind, and the force of his talents, he rose to the highest and most dignified offices of the state. It would have been in vain to seek the plough-boy of Ridley, in the dignified judge upon the bench, in the speaker of the legislative assembly of Pennsylvania, or in the important member of the most august body of assembled virtue and patriotism, that the world has ever been taught to venerate. He was charitable to the poor; a kind friend, an affectionate husband and father; a social, and oftentimes jocular companion. His modesty was equal to his merit; and the remark might justly be applied to him in the language of the poet, that,

"It is the witness still of excellency,
To put a strange face on his own perfection."

Eminently beloved by his neighbours, their confidence in him was perfect and unshaken; and a long list of his services, as executor and guardian, shows, that the dying parent could often meet, with more consolation, the stroke of death, under the conviction that the property of his children, and the regulation of their conduct, had been committed to the charge of an honest man.

He entered into matrimony with Miss Ann Justis, of the state of Delaware: they were blessed with a numerous offspring, eight of whom, three sons and five daughters, were living at the time of their father's decease.

In the month of April, 1777, a violent inflammatory fever removed him from this mortal scene, in the fifty-fourth year of his age: he was buried in the cemetery of St. James' church, in Chester, of which he was a member. At the close of his life, he was abandoned by some who had been his warmest friends, but whose political sentiments differed from his own, and they could neither forgive nor forget the vote which he had given in favour of independence. It was then that the patriot shone forth even amid the pangs of dissolution: "Tell them," said he, on his death-bed, and with a prophetic spirit,—"tell them that they will live to see the hour, when they shall acknowledge it to have been the most glorious service that I ever rendered to my country."



RES. OF GEORGE CLYMER
Cherry Lane in 1773. Philadelphia

GEORGE CLYMER.

GEORGE CLYMER, whose name is affixed to the Declaration of Independence, was descended from a respectable family of Bristol, in England. His father emigrated to this country, and settled in Philadelphia, where he married. Mr. Clymer was born in that city, in the year 1739, and the decease of his parents left him an orphan at the early age of seven years. The want of parental protection was, however, fully and affectionately supplied by the guardianship of his uncle William Coleman, whose character and acquirements had elevated him to a high rank among the citizens of Philadelphia. His precepts and example were, therefore, eminently calculated to establish the principles of Mr. Clymer upon a proper model, and his extensive library afforded him all the advantages of reading, and consequent reflection.

Mr. Clymer was educated in Philadelphia, under the superintendence of Mr. Coleman, with whom he lived until the time of his marriage, and the principal part of whose fortune he inherited. After the completion of his studies, he entered the counting-room of his uncle, for the purpose of acquiring a knowledge of mercantile pursuits. He possessed, however, little taste for this employment, his inclination leading him to the cultivation of his mind. When he had attained the proper age, he connected himself in business with Mr. Robert Ritchie, and, at a subsequent date, with his father-in-law, and brother-in-law, under the firm of Merediths and Clymer. After the decease of the elder Mr. Meredith, the business was conducted by the two surviving partners, until about the year 1782, when it was discontinued.

In the year 1765, when about twenty-seven years of age, he married Miss Elizabeth Meredith, the eldest daughter of Reese Meredith, one of the principal merchants of Philadelphia. He was an early emigrant from Bristol, in England, and possessed a generous and elevated mind. The following interesting anecdote affords a distinct view of his character and feelings: when General Wash-

ington was a very young man, and before he had attained any distinction, he visited Philadelphia, and made his appearance at the coffee-house, where he had not a single acquaintance, and was, therefore, entirely unnoticed. Mr. Meredith coming in, and finding a stranger in this awkward situation, went up to him, took him by the hand, inquired his name, introduced himself, took him to his house, and behaved with so much kindness and hospitality, as not only to induce him to continue at Mr. Meredith's house while he remained in the city, but ever after to make it his home when he visited Philadelphia. During a long course of years, the matrimonial connexion of Mr. Clymer subsisted in uninterrupted harmony, and served mutually to mitigate the feelings arising from domestic afflictions and bereavements.

The period was now rapidly approaching when genius was to find its proper level, and patriotism was to be no longer enchained. The principles of Mr. Clymer speedily designated him as one of those who were destined to direct the coming storm; to emerge in triumph from the conflict, or sink fearlessly beneath its fury. His firmness and his talents pointed him out as a man who would not, in case of defeat, owe his safety to his obscurity, but as one who would hazard his dearest interests in the cause, and either live as a freeman, or perish as a patriot. He was a republican from principle, and his heart glowed with indignation against the oppressions that were practised, and still more against those that were meditated, towards this country. He was, therefore, among the first who embarked in opposition to the arbitrary acts, and unjust pretensions, of Great Britain. He diligently attended all the private and public meetings, which, at that early day, were held by the friends of the cause; and manifested an ardent and persevering zeal in its support. When conciliatory measures were found unavailing, and it became necessary to arm in defence of the colonies, he accepted the appointment of captain in a company of volunteers, and continued to hold that commission until he was compelled, by his civil, and more urgent duties, to resign it. General Cadwallader, to whose brigade he was attached, expressed great regret at his retirement from military pursuits.

In the year 1773, when the importation of tea into America on account of the British East India Company, produced a universal excitement, the citizens of Philadelphia warmly adopted those measures which were best calculated to resist the operations of the measure, by preventing the sale of the tea. At a numerous meet-

ing, held on the sixteenth day of October, a series of spirited resolutions, for the purpose of restraining the sale, were unanimously adopted.

Mr. Clymer strongly advocated these energetic measures, and was appointed chairman of the committee chosen to wait upon the agents of the East India Company, and request them to resign their appointments. However unpleasant may have been the duty thus assigned to him, the importance of its proper performance did not permit him to hesitate a moment in demanding a resignation of the offensive appointments. The commissions had been sent to three of the principal mercantile houses in Philadelphia, two of which, with praiseworthy alacrity, coincided in the wishes of the committee. The cautious and temporizing conduct of the other commissioners excited strong animadversions, but they were at length induced to submit to the popular opinion.

When the growing dangers of the times rendered it necessary to appoint a council of safety, Mr. Clymer was chosen a member of it, and performed the duties of his station with great activity and decision. His inflexible patriotism and integrity, and the unqualified confidence reposed in him by all those with whom he was associated in the public councils, pointed him out to congress as a fit person to be intrusted with the care of the public moneys, and he was accordingly appointed one of the first continental treasurers, in conjunction with Michael Hillegas, on the twenty-ninth of July, 1775. This office he continued to fill with care and fidelity, notwithstanding the multiplicity of his other concerns, until shortly after his first appointment to congress, when he sent in his resignation, on the sixth of August, 1776, being resolved to devote his undivided attention to the more important interests of his country.

To the loan opened for the purpose of rendering the opposition to the measures of the British more effective, he was one of the first to subscribe: exchanging, in the most disinterested manner, all his specie resources for continental currency. The warmth of his zeal for the promotion of the loan, was also manifested in his successful exertions in procuring subscriptions among his friends. His devotion to the cause of the colonists, appeared, at this period, to have been marked with the greatest enthusiasm; he made a kind of pilgrimage to Boston, for the purpose, as it is believed, of imbuing fresh draughts of the love of liberty from the fountain-head, and of animating his own patriotism by contemplating the virtuous and spirited opposition of that portion of the country.

Being one among the first to feel and acknowledge the necessity of a total separation from the mother country, he was appointed on the twentieth of July, 1776, in conjunction with Dr. Benjamin Rush, James Wilson, George Ross, and George Taylor, to succeed those members of the Pennsylvania delegation, who had refused their assent to the Declaration of Independence, and abandoned their seats in congress. From this circumstance it arose, that the new members who were elected as acknowledged advocates of the measure, were not present when that memorable instrument was agreed upon by congress. Mr. Clymer, however, affixed his signature to the manifesto, as if in the performance of an act which was about to consummate his dearest wishes, and realize those fond prospects of national prosperity which had ever been transcendent in his thoughts.

On the twenty-sixth of September, 1776, Mr. Clymer was appointed, together with Mr. Stockton, to visit Ticonderoga, to which place he immediately proceeded, to inspect the affairs of the northern army. The continued approbation of congress sufficiently testifies the faithful performance of that confidential service. Having an entire confidence in the commander-in-chief of our armies, he uniformly promoted every measure that was the least calculated to extend the powers, and assist the views, of that great man; a course of conduct, the policy and utility of which was variously manifested during the war.

When congress, on the approach of the British army through New Jersey, considered it necessary to adjourn to Baltimore, in December, 1776, a committee consisting of Robert Morris, George Walton, and Mr. Clymer, was appointed, with powers to execute such continental business in Philadelphia as might be considered proper and necessary. A large sum of money was committed to their charge, for such public uses as they should think proper; with powers to call upon the commissioner of the loan office, for such further sums as the continental service might require. At this period, the family of Mr. Clymer resided in Chester county, twenty-five miles distant from Philadelphia; but so strictly did he devote his time to the objects of his appointment, that when he paid them a visit, he left the city late in the afternoon, and returned in the morning.

On the twelfth of March, 1777, he was re-elected to congress, and continued to be an active and efficient member of that body, until the nineteenth of May following, when the effects of his unremitting exertions compelled him to obtain leave of absence for the recovery of his health. His services on committees, the most arduous of con-

gressional duties, were frequent and persevering, and he acted with fidelity as a member of the boards of war and of the treasury. On the ninth of April, he was appointed, with others, to consider the proper steps to be immediately taken by congress, and recommended to the state of Pennsylvania, for opposing the enemy, if they should attempt to penetrate through New Jersey, or to attack Philadelphia. On the eleventh of July, 1777, he was appointed, together with Mr. P. Livingston and Mr. Gerry, to proceed to the army under the command of General Washington, to institute a diligent inquiry into the state of that army, particularly as it related to the causes of complaint in the commissary's department; and to make such provision as the exigency or importance of the case required.

At a meeting of the general assembly of Pennsylvania, held on the fourteenth September, 1777, Mr. Clymer was not re-elected to congress, although he served, for a time, after that period. During the fall of this eventful year, when the British army, landing at the Head of Elk, defeating General Washington on the Brandywine, were marching towards Philadelphia, the family of Mr. Clymer, as already mentioned, resided in Chester county. The change of measures adopted by the enemy, however, threw them into the very scene of danger, and at the instigation of certain domestic traitors, their retreat was pointed out, and the house sacked by a band of the British soldiers. All the furniture, and a large stock of liquors were destroyed, and such casks of wine as they were unable to consume or convey away, were poured upon the floors of the cellars.

In the year 1777, an inroad was made on the western frontiers of Virginia and Pennsylvania by some savage tribes of Indians, during which a number of helpless people were barbarously massacred, and the peaceable inhabitants driven from their homes and reduced to great distress. These atrocious acts were committed at the instigation of British agents and emissaries, who also excited a dangerous spirit of disaffection among worthless and evil disposed individuals on the frontiers, and induced them to aid the enemy in their barbarous warfare. The Shawanese and Delaware Indians continued well affected, and disposed to preserve the league of peace and amity entered into with the American congress, and were, on that account, threatened with an attack by their hostile neighbours. It having thus become necessary to adopt measures for the safety of the frontiers, as well as to preserve the public faith plighted to our Indian allies, congress resolved to appoint three commissioners to proceed to Fort Pitt, with instructions to investigate the rise, pro-

gress, and extent, of the disaffection in that quarter, and take measures for suppressing it, and for bringing the people to a sense of their duty. The powers of this committee, consisting of Colonel Samuel Washington, Gabriel Jones, and Mr. Clymer, were very extensive.

Mr. Clymer was appointed to this important and confidential service on the eleventh of December, 1777, and a few days after accepted the appointment. The commissioners having terminated their labours, advised congress of the result on the twenty-seventh of April, from which it appeared that the cruelties already exercised were merely the commencement of an Indian war, instigated by the British, and persevered in by the savages from a belief, industriously inculcated by the enemy, that the forbearance of the United States resulted from their inability to revenge the outrages which had been committed. Congress therefore resolved to take the most energetic measures for the reduction of Detroit, and the conquest of the Indians, by levying a large body of men, and carrying the war into the enemy's country.

In November, 1780, Mr. Clymer received from the speaker of the Pennsylvania assembly, an official notice of his third election to congress. On the succeeding day, he resumed his seat in the great council of the nation, and displayed the same activity, intelligence, and perseverance, which had characterized his previous exertions in the discharge of his congressional duties. From this time to the twelfth of November, 1782, comprehending a space of nearly two years, he devoted himself so faithfully and indefatigably to the public service, that he was not absent more than a few weeks from his seat, a portion of which he was employed in the business of congress. It is impossible to specify the number of committees upon which he served, and the vast variety of current business, in the transaction of which he displayed so much shrewdness and ability; but his well known capacity attracted a large share of the confidence of congress, and gave him little time to attend to his private affairs, or indulge in the ease and enjoyments of domestic life.

When the plan for establishing a national bank was submitted to congress by the financier, it received the warm support of Mr. Clymer, who was appointed, together with Mr. John Nixon, to receive the subscriptions. He always evinced the most decided interest in the prosperity of this institution, which, under the guidance of an able director, had become a most powerful support to the American cause, and relieved the distresses of the army in one of the most gloomy and appalling epochs of the revolution.

At the representations of Mr. Morris, the superintendent of the finances, it was considered necessary, by congress, to adopt more active measures to procure from the several states their quotas for the purposes of the war. Mr. Clymer hence received a renewed pledge of the confidence of congress, by being appointed, on the twenty-second of May, 1782, with Mr. Rutledge to repair to the southern states, and to make such representations as were best adapted to their several circumstances, and might induce them to carry the requisitions of congress into effect with the greatest despatch.

In November, 1782, Mr. Clymer, having retired from his seat in congress, removed his family to Princeton, in New Jersey, for the purpose of educating his children at Nassau-Hall. The prospects of the country had brightened, and believing the objects of the war to be on the point of consummation, he considered that his assistance was no longer necessary, and that, after so much toil and trouble, he could honourably retire to the enjoyments of domestic life. The strong affection which he entertained for his children would not, under such circumstances, admit of a separation, and he therefore resolved to transfer his whole family to Princeton, where their education was to be completed.

In the year 1784, the spirit of political discord distracted the state of Pennsylvania, and great exertions were made in opposition to the constitutionalists, the prevailing party, who derived their name from the active support which they gave to the old constitution. To aid in opposing this party and their principles, Mr. Clymer was summoned from his Princeton retirement in the fall of 1784; and at the ensuing election was appointed to the legislature, to co-operate with Robert Morris and Thomas Fitzsimmons, in relation to that important object.

We need not trace the steps of Mr. Clymer throughout the whole course of his career in the assembly of Pennsylvania. He trod in the same undeviating path which led him to distinction in the general council of the nation. The same principles of political probity were the foundation of all his thoughts and actions.

A measure of sound and humane policy was adopted by the legislature, during the membership of Mr. Clymer, which conferred a large share, not only of legislative, but of Christian, honour upon those who supported it. To Mr. Clymer, then, who brought forward that measure, a larger and a brighter portion of praise is due; and it must, in after life, have ever been to him a soothing reflec-

tion, that he had given birth to a system which mitigated the sufferings, while it checked the vices, of his fellow creatures.

The sanguinary nature of the penal code of Pennsylvania had long been deprecated by those citizens opposed to the destruction of human life under any pretext whatever, and by those who, admitting the right and necessity in extreme cases, believed that sound policy demanded its modification. Among the latter was Mr. Clymer. A committee being appointed, of which he was a member, a report was drawn up by him, and submitted to the consideration of the house, strenuously recommending an amelioration of the penal code, and the abolishment of capital punishments in all cases, excepting those of the most flagrant nature. He laboured with untiring perseverance in support of this humane and salutary measure. On few occasions of his life did he exert himself more warmly and ably, in the accomplishment of what he considered an important object. Although a zealous friend to the great principles of the law, he was strongly opposed to those details in it, which, without amendment, were calculated to destroy its usefulness. On the present occasion, he maintained that the fittest punishment of a criminal was that which, when meditated upon at the time, would be most likely to deter him from the commission of it: and, in this view, he believed that the contemplation of a long imprisonment would be of more effect than that of death.

Such were the main principles which guided Mr. Clymer in his endeavours to ameliorate the penal laws of Pennsylvania; and thus he became peculiarly instrumental in causing her to act with a salutary indulgence to her own misguided sons, and to set an example of humanity to mankind. The policy was sound, as well as humane: it has resisted the attacks of those who were blindly attached to the former system; it has triumphantly stood the test of experience; it has been adopted by some of her sister states, and is daily gaining ground in other parts of the world.

Mr. Clymer vigorously opposed certain additions to the penal code, as destructive to its proper effect: he deprecated the exposure of criminals, by employing them in labour in the streets and highways, with chains and badges, as impolitic and useless, and operating less as a punishment to themselves, or a terror to others, than to beget a greater insensibility to virtue or to shame. He maintained that absolute seclusion, in all countries where the experiment had been tried, generally and in a short time, broke the most hardened dispositions, and most inflexible tempers; and that nothing could be

more effectual than the establishment of penitentiaries, where criminals might be separately immured, and secluded from the view and intercourse of the world. The people, moreover, were offended by the exposure; and criminals enjoyed opportunities of communicating with their free comrades, and of concerting means of escape.

The old articles of confederation, which had conducted the nation in safety through the war, were found too weak to bind together the states, when released from the pressure of an external foe. The American people, as a necessary consequence, were neither prosperous at home, nor respectable abroad. The enemies of our republican system had already begun to predict its downfall, and its friends to apprehend it. When in this uncertain and unpromising state of things, it was determined to call a convention to form a more efficient constitution for the general government, Mr. Clymer, while yet a member of the legislature, was sent as a deputy to that body. In the deliberations of that illustrious assembly, he evinced the most enlightened and liberal views, and united in recommending the instrument which had been framed, to the people of the United States.

When this constitution was adopted by the requisite number of states, and was about to be carried into execution, he was elected a member of the first house of representatives by a large majority of the people of Pennsylvania. His election took place in the month of November, 1788, at a meeting of the conferees appointed by the different counties of the state, and held at Lancaster. The deputies from Philadelphia were elected by a large town meeting, which directed them to place the name of Mr. Clymer upon the general ticket. On the eighth of April, 1789, the oath required by the new constitution was administered to him by the chief justice of New York, where congress then sat, and he again united his talents with those of the assembled sages of the general legislature. He pursued with an undeviating step, the same principles that had uniformly marked his former progress, and gave an unqualified support to all those measures which so largely contributed to the honour and welfare of the nation, and conferred so much distinction upon what is termed the Washington administration.

The rigid republicanism of Mr. Clymer rendered him averse from all titular distinctions; hence he opposed the addition of any title either to the president or vice-president. After adverting to the high and lofty titles assumed by the most impotent potentates, and

proving by experience that so far from conferring power, they frequently made their possessors ridiculous, he proceeded to reprove this growing predilection of his countrymen. Titular distinctions, said he, are said to be unpopular in the United States, yet a person would be led to think otherwise, from the vast number of honourable gentlemen we have in America. As soon as a man is selected for the public service, his fellow citizens, with liberal hand, shower down titles on him,—either excellency or honourable. He would venture to affirm there were more honourable esquires in the United States, than all the world beside. He wished to check a propensity so notoriously evidenced in favour of distinctions, and hoped the example of the house might prevail, to extinguish the predilection that appeared in favour of titles.

It was a saying of Mr. Clymer's, that "a representative of the people is appointed to think *for* and not *with* his constituents," and in conformity with this doctrine, he was one of those who invariably, during the whole course of their political career, showed a total disregard to the opinions of his constituents, when opposed to the matured decisions of his own mind. He therefore warmly opposed the proposition introducing a clause in the constitution, which conferred upon the people the unalienable right of instructing their representatives. No one felt more indignant at the dependence which it would necessarily create, than he did. Do gentlemen, said he, foresee the extent of these words? If they have a constitutional right to instruct us, it infers that we are bound by those instructions, and as we ought not to decide constitutional questions by implication, I presume that we shall be called upon to go further, and expressly declare the members of the legislature to be bound by the instructions of their constituents. This is a most dangerous principle, utterly destructive of all ideas of an independent and deliberative body, which are essential requisites in the legislatures of free governments: they prevent men of abilities and experience from rendering those services to the community that are in their power, destroying the object contemplated by establishing an efficient general government, and rendering congress a mere passive machine.

When the naturalization bill came under the consideration of congress, a long discussion ensued, relative to the facilities which ought to be afforded to aliens, both as to holding property, and becoming citizens of the country. The existing abuses in regard to their stolen privileges, and the illegality of the votes taken at elections, demanded a speedy remedy. In the debate upon this subject,

Mr. Clymer was of opinion that foreigners ought to be gradually admitted to the rights of citizens, and that a residence for a certain time should entitle them to hold property; but that the higher privileges of citizens, such as electing, or being elected into office, should require a longer term. Permitting these rights to be assumed, and exercised at a shorter period, would not operate as any inducement to persons to emigrate, as the great object of emigration is generally that of procuring a more comfortable subsistence, or to better the circumstances of the individuals. He thought the exercises of particular privileges was but a secondary consideration. But the opinions of Mr. Clymer are more fully developed in the following extract from his manuscript memoranda: "Aliens might, with no less advantage than native citizens, be vested with every right of property; but none of the political rights should be intrusted to them, until after a long probation: and this would not be in any way unjust; for a stranger comes into a new country to be relieved from the oppressions of the old, or to better his personal condition, and not to govern it. In the countries from which strangers generally come to us, it is the part of the people to obey; a simple lesson, easily learned: but in our country it is their part to govern, which requires a long preparation of habits and of knowledge; and it is a part which strangers are unfit to act. He comes either with a disposition already broken to some degree of slavery, or with a superstitious reverence for the despotism to which custom has reconciled him; and wishes to assimilate the powers of his new to his old government. Or, from a hatred of the old, from its oppressions which he has felt, he becomes, from a want of discriminating knowledge, an enemy to all governments whatsoever, and is, of course, the factious and turbulent partisan of anarchy and disorder."

He supported the assumption of the state debts as a measure which, while it ought to be acted upon with caution, was necessary for the preservation of the union. He observed, that the unauthorized debts assumed would be sufficiently covered in the gross demand which the states would have against the United States, when their accounts should be finally made up. It was objected that it would be difficult to find the means of satisfying both the federal and state debts consolidated; to this he replied, that congress could not assume the state debts without assuming, at the same time, those very means which otherwise the states would employ in extinguishing their debts, were they left on their own hands; and that in this case, it would be as easy to satisfy both species of debt as

one. The too great dependence of the states upon the United States, which would ensue from a transfer of the power of providing for their own debts, was also stated as an objection to the measure. Mr. Clymer answered, that if a condition of absolute dependency on the general government was to follow this measure, it would only be the anticipation of a necessary event; for, on the final settlement of accounts, whatever debts were then due to the states must be assumed, and in like manner provided for by congress, in taking the taxation out of the hands of the states.

In the debate touching that portion of the tonnage bill which proposed a discrimination between foreign nations, Mr. Clymer appealed to the public acts of America for the sentiments of the people respecting it, from which it appeared that Great Britain was regarded in commerce as a foreign nation; but it was the wish of all to increase the commerce between France and the United States. In common with his colleagues, he strongly relied upon public opinion, and the sentiments which had been unequivocally expressed throughout the union, which were against placing foreign nations generally on a level with the allies of the country. He thought it important to prove to those nations who had declined forming commercial treaties with them, that the United States possessed and would exercise the power of retaliating any regulations unfavourable to their trade, and insisted strongly on the advantages of America in a war of commercial regulations, should this measure produce one. The claims of France on the gratitude of the American people were urged in favour of the principle for which he contended. It was also maintained that the commerce between the United States and Great Britain had exceeded its natural boundary. "The little trade," said he, "carried on between France and America is favourable to us; that to Great Britain, the contrary. We receive money for what we carry to France, with which our mercantile operations are increased; we are not paid with rum, as in our British West India trade. This is a fact of notoriety; it has become a subject of complaint in that country, that we take no return in manufactures from her as we do from a neighbouring nation. These advantages, therefore, backed by the voice of the people, warrant a preference of the nature of that which is now intended."

At the expiration of the first congressional term of two years, he declined a re-election, which closed his long, laborious, and able, legislative career. But he was not permitted to remain in the shade of private life. President Washington had long known his

worth and respected his virtues, and now destined him to fill one of the most arduous situations in the state.

In 1791 a bill was introduced in congress, conforming to the report of the secretary of the treasury, imposing a duty on spirits distilled within the United States, which notwithstanding the vehement opposition of the southern and western members, was carried by a considerable majority. A large portion of the population, especially that which had spread itself over the extensive regions of the west, consuming imported articles to a very inconsiderable amount, was not much affected by the imposts on foreign merchandize. But the present duty, reaching this part of society, it was consequently indisposed to the tax. The opponents of the bill contended that other sources of revenue, less exceptionable and odious, might be explored. The duty was branded with the hateful epithet of an excise, a species of taxation, it was said, so peculiarly oppressive as to be abhorred even in England; and which was totally incompatible with the spirit of liberty. The facility with which it might be extended to other objects, was urged against its admission into the American system, as well as the great hostility manifested against it in some of the states, which might endanger the lives of the revenue officers, from the fury of the people.

The arguments of those who supported the law having however prevailed, it was necessary to confide its execution to men, who would discharge their duties with moderation but firmness. Mr. Clymer was placed at the head of the excise department in the state of Pennsylvania. The odium which the act, and the officers who executed it, encountered, and the insurrection it occasioned are matters of history. The discontents in other parts of the union had been dissipated by the prudence and firmness of the government, and the law had been carried into general operation; but in the district of Pennsylvania lying west of the Allegheny mountains, the resistance wore the appearance of system, and was regularly progressive. Violence and outrage accompanied the opposition of the malcontents. It was the duty of Mr. Clymer, as supervisor, to appoint collectors in each county, but for a considerable time every person was deterred from consenting to permit an office to be held at his house. When this difficulty was supposed to have been overcome, those who had been prevailed on to accede to the propositions of the supervisor, were compelled by threats and personal violence to retract their consent.

To subdue the opposition which continued to gather fresh force,

and to burst out into the most lawless acts, it was prudently determined to resort in the first place to the arm of the law. To prove its strength, Mr. Clymer was sent into the very theatre of insurrection for the purpose of collecting evidence against the principal actors. He proceeded to the spot, at the risk of his life, and it appears to have been considered by government as an extremely hazardous enterprise. He was directed to proceed as far as Bedford, from which place he was escorted to Pittsburgh by a troop of horse, detached for that purpose, from the army of General Wayne. His exertions were unremitting, and he did every thing which his instructions would permit; but it has been asserted that they were contrived by the then attorney-general, to defeat the object which they were ostensibly intended to promote.

The duties of this office being disagreeable to him, he was induced to resign it, after having firmly borne a full share of the odium which, in the minds of little men and of the mal-contented, was attached to it. An instance of this general impression occurred soon after his return from the performance of his duties as supervisor, in the publication of a sarcastic piece relative to his travelling in a feigned character to Bedford. Mr. Clymer, who never was disposed patiently to submit to any indignity, went to the office of the printer, where a personal conflict arose between them, which fortunately terminated in no very serious result. His notions of independence and right were not abstractly confined to national affairs, and he always demanded towards himself that politeness and respect which he was ever careful to show to others.

The resignation of his office in the excise did not, as he intended, release Mr. Clymer from public duty. In the year 1796, he was appointed, together with Colonel Hawkins and Colonel Pickins, to negotiate a treaty with the Cherokee and Creek Indians in Georgia, which was satisfactorily effected in the month of June. The authorities of Georgia wished to dispossess the Indians without recompense, but the general government interfered, and appointed commissioners to treat with them. In the month of April, Mr. Clymer departed from Philadelphia for Savannah, in a vessel not only unfit, but unsafe, to perform the voyage. The consequence of this ill-advised economy on the part of the governmental agent was the extreme danger of the lives on board. After a stormy passage, a harbour was made in Charleston to the great relief of the crew, who had been kept incessantly labouring at the pumps. He arrived with Mrs. Clymer, on the twenty-ninth of April; they were soon

abundantly compensated for the maritime dangers and privations which they endured, by the warm-hearted hospitality which characterizes the city of Charleston.

At length, after a long and tedious council, the treaty with the Indians was concluded on the twenty-ninth of June. "Our treaty," he writes, "finished yesterday at noon, and the last signing is just published by our cannon. I am sure it is an honest treaty, for it was negotiated without artifice or threats; it is honest because it will greatly benefit each of the contracting parties; it is honest because it is protested against by the Georgia commissioners, who found all the customary avenues to the Indian lands barred by the principles we had laid down in conducting it.

At length Mr. and Mrs. Clymer embarked at St. Mary's on the twentieth of July, and after a disagreeable passage, arrived at Norfolk on the thirty-first of the same month. Thus terminated the political life of Mr. Clymer, which endured, with short intervals, for more than twenty years. He had now to enjoy the soothing conviction that no act of his long life had cast the slightest blemish upon his public or private reputation.

—Servetur ad imum
Qualis ab incepto processerit, et sibi constet.

He was subsequently elected the first president of the Philadelphia Bank, and of the Academy of Fine Arts, on the establishment of those institutions; and vice president of the Philadelphia Agriculture Society upon its re-organization in 1805: all these offices he continued to hold until his decease, and was constant in the performance of the duties attached to them.

Mr. Clymer possessed strong intellects from nature, which he improved by culture and study. "Firm, but not obstinate; independent, but not arrogant; communicative, but not obtrusive; he was at once the amiable and instructive companion. Retired, studious, contemplative, he was ever adding something to his knowledge; and endeavouring to make that knowledge useful. His predominant passion was to promote every scheme for the improvement of his country, whether in science, agriculture, polite education, the useful or the fine arts. It was in the social circle of friendship that his acquirements were displayed and appreciated, and although their action was communicated from this circle to a wider sphere, it was with an enfeebled force." Diffident and retired, while capable of teaching, he seemed only anxious to learn. He sought in vain to

conceal from the world the extraordinary talents which he possessed, or to shrink from the honourable consideration in which they were held. He never solicited preferment, and would have remained in the private walks of life, had not a sense of duty, and the voice of his country, called him into public usefulness. He never sought popularity, and the large portion of it which he enjoyed, arose solely from a conviction on the part of the people, that he would diligently and faithfully discharge his duty.

He possessed a mind perseveringly directed towards the promotion of useful objects; an uncommon zeal in the service of individuals and of public institutions; a delicacy and disinterestedness of which there are few examples; a profound love of rational liberty and hatred of tyranny; a happy serenity and cheerfulness of mind; a vigour and originality of thought; moderation of sentiment and purity of heart. The kindness and urbanity of his manners endeared him to all his associates, while the simplicity which was a marked feature of his character, did not permit him to assume an offensive or unreasonable control over their opinions. His conversation was of the most instructive kind, and manifested an extensive knowledge of books and men. He possessed the rare quality of never traducing or speaking ill of the absent, or endeavouring to debase their characters. His benevolence of disposition and liberality of sentiment, were always conspicuous; and these ennobling sentiments were evidenced in a distinguished manner, by his having been the principal promoter of the amelioration of the state penal code.

He was scrupulous and punctual in his attention to what may be termed the minor or secondary duties of life, or to those engagements which, being merely voluntary, are so often considered as of no moral or binding force. In the public bodies over which he presided, he knew that his presence and services were relied on for their operations and usefulness; he felt the responsibility of the stations, and that it was through his instrumentality alone that their proceedings could be properly conducted; and he never permitted any idle humour, or party of pleasure, to allure him from the post of duty. In all the engagements, however trivial, of private life, he observed the same punctilious system. "He who justly estimates the value of a punctual performance of a promise, will not, without very good reason, disregard it, whether it be to sign a contract or walk with a friend; to pay a debt, or present a toy to a child." In this most useful virtue, Mr. Clymer was pre-eminent.

His pretensions to eloquence were limited, and he seldom ap-

peared as a public speaker; but when his diffidence was conquered by feelings of duty, and when he did speak, he was listened to with universal attention, because his speeches were short, and always to the purpose. A more general regard to this habit would not be useless at the present day: ad captandum orators would less frequently heat and irritate the public mind, and the business of large bodies would be conducted with less bustle and more celerity. His style of epistolary writing, in which he extensively engaged, was playful and easy, and, when occasions required it, forcible and convincing. He was critical in his phraseology, and somewhat formal in the construction of his sentences. In his moments of leisure, he frequently amused himself by composing pieces of light poetry, some of which bear the marks of considerable talent and humour. A few days before he expired, he dictated a piece of this nature, relative to the British and their navy.

Possessing the sensibility and delicacy which are essential to taste, Mr. Clymer had of course a peculiar fondness for the fine arts, elegant literature, and the refined pursuits of a cultivated genius. Music and painting appear to have particularly invited his attention, and exercised his judgment.

His researches were various, and if not always profound, they were competent to his purposes, and not beyond his pretensions. Science, literature, and the arts, had all a share of his attention, and it was only by a frequent intercourse with him, that the extent of his knowledge of each could be discovered. His private letters are filled with plans of machinery, agricultural implements, water-works, canals, bridges, &c. &c., as well as valuable recipes, affecting almost every branch of the arts. It was his custom, when conversing with a mechanic, to inquire minutely into the nature of his trade, and its operations: by pursuing this plan, he accumulated a large stock of knowledge relative to the common occupations of mechanics.

We find from the following letter addressed to Mr. Law, that the patriotic spirit which enlightened his more youthful days, had not lost any of its fires at the age of seventy. It is dated in the month of September, 1810.

“Dear Sir—The freedom your English friend has taken with us, in his letter to you, will excuse the freedom of the observations I am going to make.

“He seems to think that we Americans are but imperfectly civilized. If by great advancement in poetry, painting, or music; ir

speculative or demonstrative science, or the arts, he means civilization, he may be right; for in these things we are not perfect. But by civilization, I understand, chiefly, that social temper, those common principles, which act most beneficially upon mankind: and I will give you my notion of the degree in which, under that temper and those principles, we are civilized, negatively; that is, by what *we do not*, not what *we* do.

"We do not then, as is said of the mouse with a large litter, starve nine of our children to over-feed the tenth.

"We do not impress one man for a guinea, or hang another for a shilling.

"We do not interdict any portion of our people the honourable or lucrative trusts of our country, because these people do not eat their bread, or drink their wine, at the Lord's Supper, according to a certain formula.

"It is not our policy to keep down the wages of the labourer, below the means of his subsistence, that he may become the more dependent for it on our bounty.

"Our laws are not so framed as that the poorer people are necessarily confined to the same district, as deer to the same park.

"We do not find it necessary to keep up the spirit and hardihood of our people, by the public spectacle of executions, whippings, pugilism, or bull-baiting.

"We have no official secret how to keep a coach out of a salary that would hardly find the incumbent in his coat.

"In journeying from Dan to Beersheba, we are not called upon at every step, to discharge the perquisites of hosts of leeches and locusts.

"I might go on with the enumeration, but perhaps there is already enough of it for a comparison, to any one inclined to make it, betwixt our country, and that of your friend."

At the commencement of the French revolution, he was its warm friend and admirer, because he believed that it afforded the prospect of emancipating a great people from political bondage. He sympathized with them in their cause, because he fondly anticipated that they were about to imitate the example of his own country. He was interested in their incipient exertions, because his heart was capacious, and embraced the whole human race. But when he thought that, instead of honestly and soberly prosecuting the great work of regeneration, they were exciting disturbances abroad and committing atrocities at home, he abandoned the French nation

as totally unprepared for the enjoyment of rational liberty. He pitied their levity and attributed their abasement to the miserable government under which their minds, and those of their progenitors, had been formed. But a strong bias ever influenced his mind in favour of the people who had aided us in our revolutionary struggle; and this predilection is apparent in many of his writings.

Of the more extended and laboured essays of Mr. Clymer we can only speak in general terms, as abounding in forcible argument, judicious reasoning and nervous language. His exculpation of the political character of Franklin,—his remarks on the French revolution,—his addresses to the members of the Academy of Fine Arts,—and his various political, literary, and scientific essays,—all portray the extent of his knowledge and the soundness of his understanding.

Mr. Clymer was a man of irreproachable morals, and a pure heart. Possessed of all the generous and social virtues, his benevolence was extensive but discriminating. In the family circle, and in friendly intercourse, he appeared to peculiar advantage, when the ardour of his affections, and his warmth of feeling, were not restrained by the diffidence which avoided their public display. His sensibility was most acute: the death of his eldest son, about the beginning of the revolution, for a long time embittered his existence, and the loss of another, during the expedition against the insurgents in the western parts of Pennsylvania, occasioned a shock so lasting and severe, that his appointment on the mission to Georgia is supposed to have been conferred by the executive, with a view of dissipating his sorrow.

With a purity of morals upon which calumny itself had never sought to cast a blemish, he possessed a singular idea of the bonds which generally confine mankind within the bounds of morality. He believed that it was more a sense of honour, than the moral sense, which guarded against the commission of bad actions, because, under circumstances where actions intrinsically bad may be committed without impeachment of honour, or according to custom or public sanction, they are very readily adopted.

Mr. Clymer was of the middle size, erect in his person, of a fair complexion, and a pleasing countenance. His features were strongly marked with intelligence and benevolence. He died on the twenty-third of January, 1813, in the seventy-fourth year of his age, at the residence of his son, at Morrisville, Bucks county Pennsylvania.

He was, indeed, an invaluable member of society, whose loss was keenly felt, and whose memory will be long cherished. To use the eloquent language of Mr. Hopkinson,—when the strength and splendour of this empire shall hereafter be displayed in the fulness of maturity, and the future politician shall look at that scheme of government by which the whole resources of a nation have been thus brought into action ; by which power has been maintained, and liberty not overthrown ; by which the people have been governed and directed, but not enslaved or oppressed ; they will find that CLYMER was one of the fathers of the country from whose wisdom and experience the system emanated.



RES OF JAMES SMITH
78 S. George St. Cork Pa

JAMES SMITH.

JAMES SMITH, of York county, in Pennsylvania, was perhaps the most eccentric in character of the illustrious men that had the happiness to affix their names to the Declaration of Independence.

Ireland may claim the honour of being his native land; and he retained to the latest hours of a protracted life, that openness of heart and raciness of humour, for which Irishmen are often remarkable, but united with the regular industry and steady virtues that were improved if not implanted by his American education.

The date of his birth has not been ascertained; it was a secret which he carried with him to the grave, an invincible reluctance to reveal his age, even to his nearest relatives or most confidential friends, being one of his peculiarities which remained after he had long survived the period when vanity or interest could possibly supply a motive for it.

It was believed by some members of his family that he was born in the year 1713, while others would place that event eight or nine years later;—the truth lies between these two conjectures.

At the age of ten or twelve he came to this country with his father, a respectable farmer, who brought with him a numerous offspring, to find a home in the new world. The family adopted a residence on the west side of the Susquehanna, where the father, after seeing his surviving children well provided for, breathed his last in the year 1761, leaving a well-deserved reputation for benevolence and honesty.

James Smith, the subject of our present notice, was the second son, and was placed for education under the immediate care of the celebrated Dr. Allison, provost of the college at Philadelphia, by whose instructions he so far profited as to acquire a respectable knowledge of the Greek and Latin languages, and a taste for classical allusion that endured to the termination of his life.

He also became skilful in surveying, an art of peculiar usefulness and dignity at that early period, when enterprise and capital were

so generally directed to the purchase of lands, and when no man without some proficiency in the use of the compass and chain, could ascertain his own or his neighbour's boundaries.

With these preparatory acquirements, he applied himself to the study of the law, either in the office of Thomas Cookson, or of his elder brother, who had become a practising lawyer in the town of Lancaster, but died in early manhood, when James had scarcely completed his pupilage.

It is believed that he did not attempt to practise his profession at Lancaster; but immediately after his brother's death removed far into the woods, and established himself, in the blended character of a lawyer and surveyor, in the vicinity of the present site of Shipensburg. The propensity to buy wild lands as a matter of speculation, and the inaccurate surveys frequently made for distant purchasers, had already begun to operate as the sources of abundant litigation in Pennsylvania, and supplied Mr. Smith with very active occupation at this early period, as they continued to do until he finally relinquished the profession, after an industrious and able exercise of it during nearly sixty years.

After a few years passed in this remote situation, he took up his abode in the flourishing village of York, where he continued to reside all the rest of his life; and he practised his profession there with great credit and profit; and under circumstances peculiarly favourable to tranquillity and comfort, for he was, during many years, the only lawyer at the place.

It was in this prosperous condition of his fortunes he married Miss Eleanor Armor, of New Castle; and he continued to be the sole practitioner of the law residing at York, although Jasper Yeates, afterwards the distinguished judge of the Supreme Court of Pennsylvania, and other young men, attended the courts there, as Mr. Smith did those of the neighbouring counties.

During this period of his life, he was quite as much distinguished for his powers of entertainment, his drollery, his humorous stories, and his love of conviviality, as for his talents and success in the practice of the law.

But a time was approaching when distinction was to be acquired, and eminence maintained, by the exercise of other talents than those which were fitted to enliven a convivial party. The clouds of war already lowered on the horizon; and every prominent man was obliged to take his part in the momentous struggle.

When in the spring of the year 1774, intelligence was received

of the enactment of the bill closing the port of Boston, the disputes between the colonies and the mother country began to be seen and understood in their true light, as irreconcilable without concessions not likely to be made on either side, and tending manifestly to a desperate and bloody contest.

Mr. Smith was now at an age when the liability to be carried away by thoughtless ardour and enthusiasm was past. Between fifty and sixty years old, he might well have pleaded his fulness of days as an excuse for avoiding all active participation in the contest. In the successful practice of the legal profession, possessed of considerable property, and engaged in extensive iron-works on the Codorus creek, he had nothing to gain by devoting himself to public employments, and every thing to lose if the efforts of the resisting, though not yet rebellious, colonists, should be defeated.

But the calls of patriotism prevailed with him, over the dictates of prudence or selfishness; he did "look to the end," he "weighed and considered," and having taken his part on the side of liberty and his country, he gave himself up to the most active exertions in the cause.

In Pennsylvania there was a meeting of delegates from all the counties, with a view to collect and express the public sentiment on the condition of public affairs generally, in the form of instructions to the general assembly. This meeting, called the "Committee for the province of Pennsylvania," was composed entirely of men of great distinction in the colony, and among them James Smith took his seat as one of three delegates from the county of York, and was appointed one of the committee to prepare and bring in a draught of instructions.

As the whole tenor of the "instructions" is pacific and conciliatory, there is no mention of armed resistance, except in the hint that if Britain shall continue to persevere in her pretensions, "either the colonists will sink from the rank of freemen into the class of slaves, or if they have strength and virtue enough to exert themselves in striving to avoid this perdition, they must be involved in an *opposition dreadful even in contemplation.*"

It may be inferred that Mr. Smith was either less disposed than a majority of the committee to entertain "tender and brotherly affection" for his fellow subjects in England, and less reluctant to adopt a measure implying "disrespect to his majesty's government," or that he had a more distinct anticipation of a resort to the logic of the bayonet, than the committee were willing to avow;

since he employed himself on his return to York, in raising and drilling a volunteer company, of which he was elected the captain.

This was the first corps of volunteer soldiers organized in Pennsylvania, with a view to oppose the armies of Great Britain, and Mr. Smith was entitled to great praise for this practical and efficient exercise of patriotism, by which, at a very early period of the contest, indeed several months before the first shedding of blood at Lexington, he set an example of so salutary a character.

Neither his age, nor his previous studies or habits, fitted him particularly for military life; his object was gained when he saw corps after corps organized in emulation of his own, until the volunteer force of Pennsylvania became effective and respectable. When his company had increased to a regiment, he accepted the honorary title of their colonel, leaving to younger men the duty and honour of the actual command.

While Mr. Smith was thus occupied at home, the first congress was held at Philadelphia; and the eloquent remonstrances which they addressed to the people and the king of Great Britain, if ineffectual as to their professed object, were yet most affecting and powerful appeals to the hearts of the Americans; and if they did not serve to weaken the general attachment to the royal government and British nation, they at least confirmed the general resolution to sacrifice all selfish considerations, and maintain their rights even at the price of war.

It was in this improved tone of public feeling, that the "convention for the province of Pennsylvania" met, in January, 1775.

Of this convention Mr. Smith was a member, and joined in the resolutions approving of the conduct of the continental congress, and promising to aid in carrying into effect the non-importation agreement entered into and recommended by that body. It may be remarked too, as an indication of some change in the prevailing sentiment, that there is not in these resolutions any profession of attachment to the king or royal family.

At the very time that the convention at Philadelphia were recommending the resistance of force by force, another assembly held in the same town and possessing perhaps equal influence, was engaged in the endeavour to counteract their schemes. A meeting of the people called Quakers, residing in Pennsylvania and New Jersey, held by delegates regularly appointed to represent them, formed this anti-revolutionary congress, which met in the month of January, 1775; and the Testimony or Address which they published, called

upon all the members of that powerful and numerous society, in the two colonies, to unite in abhorrence of all such writings and measures as evidenced a desire or design to break off the happy connexion of the colonies with the mother country, or to interrupt their just subordination to the king.

It is impossible to say what effect this effort, and others made at the same time, to damp the patriotic spirit of the colonies, might have had on the deliberations of the new congress, which assembled in May of the same year, if the sword had not in the mean time been actually drawn, and the bloody affair at Lexington had not occurred just in season to rouse the indignation of even the peaceful Pennsylvanians, and loyal inhabitants of New York, and commit the colonies irretrievably to the prosecution of hostilities.

The Quaker Testimony certainly had no effect on Mr. Smith; he was rising at this time in the military line and had attained to the dignity of colonel, but was not chosen a member of the congress, the appointments for which had been made before the skirmish at Lexington had given so decided and warlike a character to the dispute.

Indeed, Colonel Smith was at this time an *ultra* in whiggism; republicanism had not then begun to be avowed. He was half a year at least in advance of the greater part of his "fellow subjects" of Pennsylvania, and not at all the sort of man the general assembly were disposed to intrust with the important and delicate task of "establishing that union and harmony between Great Britain and the colonies, which is indispensably necessary to the welfare and happiness of both."

Such were the expressed objects of the assembly in appointing deputies to represent the colony in congress; objects, the successful pursuit of which seemed to require the exertions of the most moderate amongst the whigs, aided perhaps by the counsels of the most intelligent among the tories.

In November, 1775, the general assembly made a re-appointment of their delegates, with the addition of three new members; instructing them, however, that "though the oppressive measures of the British parliament and administration have compelled us to resist their violence by force of arms; yet we strictly enjoin you, that you, in behalf of this colony, dissent from and utterly reject any proposition, should such be made, that may cause or lead to a separation from our mother country, or a change of this form of government."

This decided stand against independence, assumed by so respectable an assembly, roused its friends to immediate and active exertions; and among them, Colonel Smith was not the least zealous and efficient. The general assembly was assailed with petitions and remonstrances, calling for a revocation of their instructions, which were denounced as contrary to the wishes of the people, and calculated to separate Pennsylvania from the other colonies. These applications were entirely unavailing; and the assembly—encouraged, perhaps, by the conduct of the Maryland convention, who declared early in December, that they were not and never had been desirous of independence—refused positively to rescind the instructions.

It was plain that if this example were generally adopted by the colonies, and the delegates in congress should act in obedience to these views, the contest must become at once hopeless, and entire submission to the British power must speedily follow.

The advocates of independence in Pennsylvania had now an arduous task to perform, but they persevered against every discouragement. Early in the year 1776, the Quaker Testimony was renewed against the war, and the assembly of South Carolina declared, in an address to Governor Rutledge, that they still desired an accommodation with the royal government.

The attitudes thus assumed by the colonies of South Carolina, Maryland and Pennsylvania, were extremely disheartening to the friends of liberty; but Colonel Smith and the patriots with whom he acted, very soon had the satisfaction to learn that North Carolina had expressly empowered her delegates to concur in a declaration of independence, and that Massachusetts had resolved that the inhabitants of that colony would support with their lives and fortunes such a measure if congress should think fit to adopt it.

Accordingly congress did on the fifteenth of May, adopt a resolution which was in spirit, though not in terms, a declaration of independence. This important resolution, after reciting the acts of tyranny committed and meditated by "his Britannic majesty," declares that it appeared "absolutely irreconcilable to reason and good conscience, for the people of these colonies now to take the oaths and affirmations necessary for the support of any government *under the crown of Great Britain*."

This decisive measure removed the difficulties which had embarrassed the course of the whigs in Pennsylvania. The government of the colony being in the hands of the general assembly, they had

been left with no other resource than to excite such a universal enthusiasm in favour of liberty as might induce the assembly to change their vote, and in the mean time they had the mortification to see the conventions of North Carolina and Massachusetts outstripping, in the race of patriotism and courage, the very colony within whose limits the congress was sitting, and that colony indeed not only backward in the cause, but pledged by her constituted authorities against emancipation.

But a way was now opened for them to proceed unshackled by such pledge,—an opportunity was given for creating a power paramount to the general assembly, competent to supersede its acts, and to place Pennsylvania in the attitude which it behoved her to assume.

Accordingly, only five days after, a large meeting of the citizens of Philadelphia was held in front of the very building in which congress was deliberating on plans of resistance: the resolution of the fifteenth of May was read and approved by hearty acclamations; the instructions of the general assembly to the delegates in congress were also read and as loudly condemned, and it was resolved to invite a provincial conference to meet with as little delay as was possible, for the purpose of making arrangements for establishing a new government in Pennsylvania.

Of this conference of committees, which assembled at Carpenter's Hall in Philadelphia, on the eighteenth of June, Colonel Smith was an active and distinguished member.

It is observable, that so much had the military spirit extended itself by this time, that of the ninety-six members, generally men of professional or agricultural pursuits, more than half bore the title of colonel, major, or captain.

The meeting was in fact composed entirely of decided whigs, and their proceedings were entirely harmonious; but a part of the necessity of their assembling had been obviated; the general assembly had given way to the force of public sentiment, and a few days before the meeting of the conference, had rescinded their obnoxious instructions. This vote was equivalent to an instruction or request that the delegates would vote for independence, and seems so to have been considered by the conference, who, in consequence, did not take any further step in that particular matter.

The resolution in favour of issuing a declaration of independence had been introduced in congress by Mr. Lee, of Virginia, on the seventh of June; it encountered more serious opposition than had

been anticipated. The objections urged were not applied to the principle of the measure itself, but to its expediency just at that time; many of the members who were fully determined that such a declaration should be issued at a proper season, were still of opinion that greater preparations for war should first be made, as the immediate effect would be to stimulate the British government to more strenuous hostility.

Nor was this prudence confined to the members of congress; the Maryland convention had, by a very recent vote, on the fifteenth of May, adhered to their resolution of the preceding December, against a separation from Great Britain; and the provincial congress of New York had returned a very cold and discouraging answer to an address of a committee of mechanics that had ventured to suggest the propriety of instructing the New York members to vote for independence.

In this state of things it was thought necessary for the conference to add the weight of their influence, and on the afternoon of Sunday, the twenty-third day of June, (for Sunday shone no Sabbath day to these indefatigable patriots,) a young man distinguished for his talents and his zeal in the cause of freedom, and who subsequently became one of the most distinguished ornaments of the American nation, proposed the appointment of a committee to draught a resolution "declaring the sense of the conference with respect to an independence of this province from the crown and parliament of Great Britain."

The mover of this resolution was Dr. Benjamin Rush, and it was seconded by Colonel Smith, who were appointed, with the chairman, Thomas M'Kean, to compose the committee.

The next morning the committee met and prepared a declaration which was reported in the afternoon, read a first and second time by special order, unanimously approved, signed by all the members, and ordered to be presented to congress the following day.

This paper, although prepared in extreme haste, the appointment of the committee being on Sunday afternoon, and the report being made the very next day, comprises nevertheless, nearly all the topics which are touched with more polished phraseology in the declaration adopted by congress on the fourth of July ensuing, of which the Pennsylvania resolution may be considered as the rough draught.

The very same day that this eloquent and manly resolution was reported and adopted, another and not less important task, of a

similar kind, was devolved on Colonel Smith, and his young friend Dr. Rush. The congress had passed a vote recommending the formation of an army of four thousand five hundred men, of the Pennsylvania militia for the protection of Philadelphia, but the general assembly had suddenly and unexpectedly broken up, finding their functions likely to be very shortly taken out of their hands, without having made any provision for carrying the plan into effect. It became necessary, therefore, for the conference, as the only body of men that could be considered as representing the people, to appeal to the patriotic ardour of the volunteers, or "associators," as they were then styled, and to induce them to organize the camp without any other requisition than this informal call of their country. For this duty Colonel Smith, Dr. Rush, and Colonel Bayard were selected, and the day following their appointment they reported the "address to the associators" which was adopted. The paper thus prepared was of course intended for publication, and it is remarkable that the committee at this time, more than a week before the vote was taken in congress, chose to consider the question of independence as decided, and all possibility of reconciliation with the royal government as entirely at an end.

The number of "associators" in Pennsylvania was very large—according to the estimate of Mr. Penn, in his examination before the house of lords, they amounted to a volunteer force of twenty thousand men. To the creation of this invaluable spirit which filled the province with citizen-soldiers, Colonel Smith had been, as we have seen, mainly instrumental, by offering the earliest example of the formation of volunteer companies; and he now had the satisfaction to witness the beneficial consequences of his efforts.

After the adjournment of the conference, in the last week of June, he returned to York, and had a short interval of time to devote to his clients and his iron works, both of which had been necessarily neglected while his attention was occupied by public affairs. It was, however, a period during which no man that had taken so active an interest in the great contest, could be much at ease, or very capable of attention to private concerns.

The Declaration of Independence was known to have been proposed in congress, and to be under discussion there until the second day of July, when the vote was taken, and the measure adopted. This event, although so momentous in its character and consequences, was received with remarkable coolness in the city of Philadelphia; it in fact excited no surprise. The colonies of North Carolina,

Virginia, Pennsylvania, Maryland, New Jersey, and Massachusetts, had already, by public acts, expressed their determination on the subject; and the question was known to be merely one of now or hereafter—of accelerating or delaying—the Rubicon was reached, and with more or less hesitancy was certainly to be passed. The Philadelphia newspapers of third of July, merely announced, in a part of their pages that is by no means conspicuous, that “yesterday the continental congress declared the United Colonies free and independent states.”

In York county, the intelligence of this event, and the declaration itself, which followed in two days after, were received just in time to give additional interest, but more complete unanimity to their election of members of the convention, which was to assemble on the fifteenth, for the purpose of preparing a constitution and plan of government for Pennsylvania.

Colonel Smith was elected a member of the convention, and attended at the meeting in Philadelphia on the fifteenth day of July. The first resolution adopted by them, after choosing Dr. Franklin for their president, was an earnest recommendation to the committee of safety that they should take immediate measures for procuring all the lead used in spouts, clock-weights, ornaments of houses, or other form, and turning it into bullets without delay.

The first important committee that they appointed, was “to make an essay for a declaration of rights for this state;”—Colonel Smith was chosen a member: and before the committee had time to perform the difficult duties of their appointment, other and not less important responsibilities were devolved on him. On the twentieth of July, the convention proceeded to ballot for nine members of congress, and Colonel Smith was one of the nine elected; but he did not on that account abandon his seat in the convention, nor cease to take an active participation in its deliberations. On the twenty-third, he was appointed a member of the committee charged with the delicate task of preparing an ordinance, declaring what should be high treason and misprision of treason against the state, and what punishments ought to be inflicted for these offences; and also an ordinance declaring the punishment for counterfeiting paper bills of credit issued by congress, or by the late assembly of Pennsylvania, or any other of the states, and how far such bills of credit ought to be a legal tender.

The very next day this committee reported on all these subjects. The proposed ordinance respecting treason, which was adopted by

the convention, is remarkable for the mildness of its penal inflictions.

A few days after this the "Declaration of Rights" was submitted by the committee to the convention. The frame of government which accompanied the Declaration of Rights, and was adopted with it, did not receive the unqualified approbation of Colonel Smith, but as an experiment, it could do no harm, and the people were at all times competent to change it. He therefore concurred in the vote which established the constitution.

After a laborious session of six weeks the convention dissolved itself, having enacted several very important ordinances, besides preparing the new form of government and giving constant attention to the part which Pennsylvania could contribute towards carrying on the war.

Colonel Smith was now obliged to take his seat in the national council. The convention, in electing new delegates in place of those who had voted against the Declaration of Independence, and re-electing the others, had given instructions touching the course of conduct that they expected to be pursued by their members in future. In the beginning of October, and with these instructions for his public conduct, and a patriotic spirit that required no prompting or encouragement, he commenced his regular and punctual attendance in congress. On the twenty-third of November, he was appointed, with Mr. Wilson, Mr. Chase, Mr. Clymer, and Mr. Stockton, a sort of executive committee, who were charged with full powers to carry on the whole business of the war, that is to say, "to devise and execute measures for effectually re-inforcing General Washington, and obstructing the progress of General Howe's army."

This measure was adopted with the best intentions, but was perhaps not in itself the best calculated to reach the desired object. Much inconvenience and disadvantage had been found to result from the want of an efficient executive power; and the necessity of debating every military movement in congress before the commander-in-chief could feel himself authorized to adopt it, had already occasioned embarrassment to him, and detriment to the service.

A committee of five, it was thought, could act with much greater promptitude and efficiency than the whole congress; but the remedy was wholly inadequate to the amount of the evil. If the committee remained at Philadelphia, the necessity of communicating with an

army nearly a hundred miles distant, would still be a serious clog on the movements of the commander-in-chief; and should they repair to head-quarters, what could they do there, vested with this indefinite authority, but advise upon matters in which the general himself was better versed than they could be?

Colonel Smith, however, with part of the committee, made a visit to the army and General Washington, but returned greatly impressed with the insuperable difficulty of their task, the importance of the crisis, and the abilities and virtues of the commander-in-chief, with whom alone they were convinced such powers could advantageously be placed.

Washington was equally impressed with the expediency of an efficient authority being vested in his hands; but it was a delicate subject for him to press upon the attention of congress; and it was not till after they had divested themselves of the executive functions, and devolved them on this committee, that he could bring himself to ask for an addition to his power,—not under the then existing circumstances, at the expense of the powers of congress, but of a committee which neither desired nor in fact used the authority with which they had been clothed.

Hinting the disadvantage of his being obliged to make constant applications to congress for their sanction of measures, the immediate adoption of which was essential to the public interests, he suggested the idea of conferring further powers on himself. "This might," he said, "be termed an application for powers too dangerous to be intrusted." He could only answer, "that desperate diseases require desperate remedies. He could with truth declare, that he felt no lust for power; but wished, with as much fervency as any man upon the wide extended continent, for an opportunity of turning the sword into a ploughshare; but his feelings as an officer, and as a man, had been such as to force him to say, that no person ever had a greater choice of difficulties to contend with than himself." After stating several measures which he had been compelled to adopt without the sanction of congress, he added—

"It may be thought that I am going a good deal out of the line of my duty, to adopt these measures or advise them freely; a character to lose, an estate to forfeit, the inestimable blessing of liberty at stake, and a life devoted, must be my excuse."

Notwithstanding the irresistible eloquence of this appeal, and the decided opinions of the committee in accordance with it, such was the republican jealousy of arbitrary power, then prevalent, that con-

gress hesitated even in the days of their darkest gloom, to confer powers beyond the clearly defined lines of their instructions.

When, however, on the twelfth of December, the rapid approach of the British army through Jersey, and the defenceless condition of Philadelphia induced them to remove their sittings to Baltimore, the same resolution was made to contain a clause which gave to General Washington dictatorial power; the congress being willing thus to adopt the most important measure that could be proposed, in this indirect and half-concealed manner, although they would not openly avow the whole extent of the alteration they were making in the scheme for carrying on the war, nor confess that they considered their affairs in so alarming a situation as to require this "desperate remedy."

Colonel Smith did not participate in this reluctance; he had unbounded confidence in Washington, and was too much accustomed to respect and approve of military organization not to think it quite right that the commander-in-chief should be allowed really to command.

He had now an opportunity of a brief visit to his family, one week being allowed between the adjournment at Philadelphia and the re-assembling of congress at Baltimore. He was now but fifty miles from home, and during the continuance of the session at Baltimore was able to make several hasty journeys to York.

In March of this year, the Pennsylvania assembly had to make a new choice of delegates, and Colonel Smith, having already suffered severely in his private interests, by his unremitted attention to public affairs for so long a period, declined a re-election.

He returned to his professional occupations with renewed energy, and gave his attention also to the iron-works which he possessed on the Codorus creek. This establishment furnished him with the occasion of many a jest, but became so evidently an unprofitable and even ruinous concern, that he determined to wind up the business, and get rid of it with any sacrifice.

His loss by the iron-works was supposed by his best friends to amount to about five thousand pounds,—he had property remaining, however, that was sufficient for his wants; and he compensated himself by uttering a thousand jokes against the two superintendents, under whose mismanagement he had suffered so heavily, designating one of them as a knave and the other a fool, and being on all occasions particularly exact in keeping the distinctive epithet of each punctually applied to him.

This was not a season, however, for a man like Colonel Smith to retire entirely from public affairs. He had entered too deeply into the interests and anxieties of the conflict, to be an unconcerned or quiet spectator. The British had landed at the head of Elk; the battles of Brandywine and Germantown had been fought; the enemy were in possession of Philadelphia; and cabals, dissensions, and discontents, had appeared in the army, in congress, and among the public at large. He could not, therefore, in the crisis of that particular period, refuse an election to congress in December of the year 1777.

Before this time, the near approach of the British to Philadelphia had obliged congress to remove to Lancaster, and they soon fixed their sittings at York, as a more convenient place, and at least equally safe. It was, indeed, no excess of prudence which induced them to place the Susquehanna between themselves and their foes. This location of congress was agreeable to Colonel Smith in many respects, but it was even more incompatible with his attention to professional pursuits, than when at Philadelphia. Besides sitting in congress during several hours of the morning and afternoon, the evening was naturally, and with his social disposition unavoidably, given to the delightful duties of hospitality. So completely was every private consideration sacrificed to the desire of contributing to the general good, that his office was closed against his clients, and given up to the occupation of the board of war. In the beginning of the next summer, however, the enemy thought proper to evacuate the capital, and congress resumed their session at Philadelphia, on the second of July.

Colonel Smith had been appointed one of a very important committee, charged with the duty of collecting testimony concerning the barbarous treatment of prisoners by the enemy, and the unjustifiable destruction of private property committed by the British armies. This committee had made a report after he had vacated his seat in the year 1777, but to which he had contributed more than his share of the labour necessary for its preparation. Great part of this duty remained to be performed, and Colonel Smith absented himself from his seat in congress during the month of July and part of August, in order to devote his attention more efficiently to this object.

He repaired to Philadelphia, and resumed his seat on the eleventh of August; but he did not any longer feel it incumbent on him to yield himself so exclusively to public affairs. The British had been

chased across Jersey, and defeated at Monmouth; the French alliance was concluded, and the French fleet actually on the coast; the articles of confederation, after being debated at thirty-nine different times;—in those days of prompt despatch and short speeches, a prodigiously lengthened discussion,—had been ratified, and he had had the satisfaction of signing them, as the authorized agent of Pennsylvania. Every thing promised a fortunate termination of the war, and strong hopes were entertained that that consummation was not far distant. Under these circumstances, he began to think of giving place in the public councils to younger or less courageous men, who might very well bring the ship into harbour on a smooth sea, although they could not have been so safely trusted with the helm in the stormy days that had just passed away.

After passing the whole of the year 1779 and part of the following year in an uninterrupted prosecution of his professional pursuits, he was prevailed on again to perform a tour of public duty, and accepted a seat in the assembly of Pennsylvania, which he held during one session only. His usual activity was transferred to this new scene of action, and we find him appointed on almost all the most important and responsible committees.

The war having now drawn towards a close, he excused himself from any further public duties which would require his absence from home. The practice of the law gave him full occupation and competent remuneration, and his excellent spirits and humorous disposition made the labours and vexations of this very fatiguing profession sit lightly on his mental and corporeal health. Old age advanced upon him with a lingering step, and he was able to accept and exercise the local offices of chief-burgess of the town of York and trustee of the academy, at a time of life when most of his co-evals had survived their energy. It was not until the year 1800 that he withdrew from the bar, after having been a practising lawyer for about sixty years.

The peculiarities of his disposition and habits continued to distinguish him to the very last. Social, jocular, and friendly, he was the life of all conviviality; and the powers of his very retentive memory had, in so long an exercise, supplied him with a store of rich and diverting anecdote that was inexhaustible and unequalled. He lived to see his friend, and the object of his most enthusiastic admiration—Washington, twice elected by the unanimous suffrage of the nation to that most elevated of all stations, the chief magistracy of a free people. He lived, too, which seemed to him a much more

surprising event, to find himself opposed in politics to his old friend and co-patriot of 1776, Thomas M'Kean; and he had again the gratification of supporting him at his last election to the office of governor of Pennsylvania.

He retained his veneration for religion and its ministers, as well as his regular attention to public worship; and would always repress every licentious jest at the expense of sacred subjects, as he would with equal promptitude and much more warmth repel and reprobate every word or insinuation uttered in his hearing to the disparagement of General Washington. He was a member of the federal party, in the political divisions that distracted Pennsylvania with even more bitterness than was exhibited in other states; but, with his temperament and his recollections, it was impossible for him to be a very angry or implacable partisan.

He continued in habits of epistolary correspondence with Dr. Franklin, Samuel Adams, and many others of the patriots of the revolution, during their lives, but outlived the greater part of his early associates; a valuable collection of letters was unfortunately lost in the year 1805, when his office, with all its contents, was destroyed by fire.

On the eleventh day of July, in the following year, he was gathered to his fathers.

The monument erected over his grave, in the burial-ground of the English Presbyterian church, at York, records his death as having occurred in the ninety-third year of his age; but there is reason to believe he was not so old by several years. His pertinacious refusal to give any information on the subject of his age had never been overcome, and it remains a matter of conjecture.

He had three sons and two daughters, of whom one only of each survived him. In his domestic relations he was invariably affectionate and kind; and it seems to have been his almost singular happiness to pass through a period of extreme agitation and distress, with such buoyant cheerfulness and gamesome humour, as effectually guarded his heart and health from the corroding effects of those anxieties which brought the seriousness of old age before its time upon the spirits of most of his co-patriots, and drew down many of them to an early grave.



RES. OF GEORGE TAYLOR

18th Co. 4th Regt. N.Y. Inf.

GEORGE TAYLOR.

ALTHOUGH GEORGE TAYLOR, during his life time, took a prominent part in the political affairs of the times, and was a man much esteemed and honoured, he has left behind him scarce a trace, by which we can discover his sentiments or actions.

Of the early life of Mr. Taylor, we have been able to discover almost nothing. He was born in the year 1716. He was an Irishman by birth, and is said to have been the son of a respectable clergyman of that country, who gave him a better education than was usually bestowed, in those days, on youths who were destined to make their own fortunes in the world, and who had no advancement to hope either from patronage or wealth. He was quick, active and intelligent; and his father, thinking his talents might be turned to some account, determined to educate him for the profession of medicine, of which science it is believed he actually commenced the study. His turn of mind, however, did not fit him for the labours which such pursuits require; he was soon disgusted with the slow progress that he made, and determined to seek his fortune in a life of more variety and adventure. What led him particularly to select America, as the scene of his new efforts, we know not; but hearing of a vessel about to sail for Philadelphia or New York, he deserted his medical studies, and without sixpence in his pocket, embarked as a redemptioner on board of her.

On his arrival in America, he bound himself for a term of years as a labourer to one Savage, who paid the expenses he had incurred in his passage from Ireland. This person was the owner or occupier of some extensive iron-works, at Durham, a village on the river Delaware, eight or ten miles below Easton, and to that establishment Taylor accompanied him.

Immediately on his arrival, he was set to work as a "filler," that is, a workman employed to throw coal into the furnace when in blast. He had not been accustomed to such rude work, and this was soon discovered from the blisters on his hands. The fact was mentioned

by some of his associates to Savage, and he, taking compassion on the lad, whom he had found to be remarkably intelligent and educated beyond his present situation, asked him if he could not handle a pen better than a shovel. Taylor agreed joyfully to the change, was installed as a clerk, and soon made himself, in this situation, a most important member of the establishment. He retained it several years, and when at length Savage died, married his widow, and became the proprietor of the whole concern. Here, by prudent management and great industry he contrived to amass a very considerable fortune, but either allured by more promising prospects, or tired of his old abode, he afterwards purchased a considerable estate on the shores of the river Lehigh, in the county of Northampton, and built a large house upon it, where he fixed his residence.

Mr. Taylor had not been long an inhabitant of Northampton, before he was called into public life. In the provincial assembly which met at Philadelphia, on the fifteenth of October, 1764, we find him representing that county, and placed immediately on the committee of aggrievances, one of the most important and useful situations at that time, and still more so at a future period. He also took an active part in the discussion of the great question which then agitated the province, the alteration of the charter, and the reformation of the proprietary government, into which many serious abuses had crept.

In the month of June, 1765, the speaker of assembly had received the proposal of the house of representatives of Massachusetts Bay, for a general congress of delegates at New York in the ensuing autumn. At the meeting of the assembly in September, he laid the communication before them, and on the same day the measure was agreed to without a dissenting voice. The speaker, Mr. Fox, Mr. Dickenson, Mr. Bryan, and Mr. Morton, were elected as delegates, and a committee was appointed to prepare a draught of instructions for their government. On this committee Mr. Taylor was appointed; the instructions were drawn up, and on the following day, presented to and approved by the house.

In the month of October, 1765, Mr. Taylor was again elected as the representative of Northampton county in the provincial assembly, and again became an active member in several useful committees, and a participator in all the leading measures which were introduced. In the month of June following, we find him one of the gentlemen appointed to draw up an address of thanks to the king, on the repeal of the stamp act. From this period until the year

1770, Mr. Taylor continued to take his seat in the assembly, and was always placed on the several standing committees of which he had been formerly a member, as well as named on many others of importance. We find him on those appointed to amend the judiciary establishment, regulate the assessment of taxes, investigate the rights of the house, to choose the printer of the public laws, raise loans on bills of credit, prepare a system for improving the navigation of the great rivers of the province, and several others.

In the early part of the year 1768, he exerted himself strenuously in bringing to justice the perpetrators of some horrid massacres of the savages on the frontier, which had nearly involved the province in an Indian war. Thinking that the governor had not acted with all the promptness which the matter demanded, he was appointed by the assembly, with several other members, to draw up an address urging his attention to it. In this manly address they call upon him, with all the warmth of honourable feeling, to exert the powers of his office to bring the offenders to justice, to avenge the innocent and murdered Indians, and to save the province from the calamities which threatened it.

From this period until the year 1775, we do not find the name of Mr. Taylor in the journals of the assembly. He was actively occupied at his new establishment, in carrying on some iron-works which he had there erected, and in so doing had associated himself with several other gentlemen, engaged in the same pursuit. Owing, however, to some disadvantages in his present situation, he did not meet with the success which had attended his former efforts, and after some time vainly spent in the attempt, and the loss of a considerable part of his fortune, he returned to Durham, the seat of his former prosperity. During this period, the only public offices which he held were those of a judge of the county courts, over which he presided, and of colonel of militia, from which he derived the title that he was usually addressed by.

In October, 1775, he was again elected a delegate to the provincial assembly, and took his seat therein on the fourteenth of that month. He resumed at once his useful character as a legislator, and was placed on several important committees, such as those on the grants of the crown, the settlement of the Connecticut claims, procuring arms for the public service, preparing a system of military discipline for the province, and above all, the committee of safety, which was now in fact the great revolutionary organ of the government. On the fourth of November, 1775, the legislature proceeded

to elect the delegates to the succeeding continental congress; and shortly after they had chosen them, Mr. Taylor was appointed, with several other gentlemen, to prepare and report to the assembly a draught of instructions by which their conduct was to be governed.

The views of the assembly were in perfect accordance with the wishes of the people; but owing to the strong reluctance which existed among many of the members, of thus making a breach which could never be repaired, they were not adopted with the unanimity which so great a measure required. Indeed it had become evident that an essential change ought to be made in the nature of the government, and the whole energies of the province should be exerted, in giving weight to the great object at which congress were aiming. The regular assembly was, therefore, allowed gradually to cease by the absence of its members, and a temporary body, called a conference, consisting of committees chosen by each county, met at Philadelphia, and assumed by degrees a large portion of the legislative powers. On the twenty-fourth of June, they took up the subject which had engaged the attention of the assembly; the dissolution of allegiance to Great Britain, and coinciding in the views which we have seen that body adopt, passed a resolution unanimously, as the deputies of the people of Pennsylvania, in which they expressed their willingness to concur in a vote of congress, declaring the United Colonies free and independent states, and asserted that this measure did not originate in ambition or in impatience of lawful authority, but that they were driven to it in obedience to the first principles of nature, by the oppressions and cruelties of the king and parliament, as the only measure left to preserve and establish their liberties, and transmit them inviolate to posterity.

Emboldened by this approbation and that of most of the colonies, congress proceeded zealously towards the great end. But in their body, there were yet many who looked with fearful anticipation on the consequences. Among these were several of the delegates from Pennsylvania, and neither the instructions of the assembly nor the resolutions of the conference had yet changed their sentiments. When we mention among these the name of that great and good man John Dickinson, we give sufficient proof that the cause of these sentiments was no unmanly fear. It was a reluctance to jeopardize the future prospects of the country, by involving them in a war with a powerful nation; it was, they asserted, changing the wholesome system of resistance to arbitrary acts, into the pursuit of ends which

the happiness of the people did not require. It was relinquishing the safe ground on which the colonies had planted themselves, and rushing into a war which in its course must bring with it slaughter and inexpressible distress, and in its end might fix a severe despotism on the ruins of liberties that had been rashly hazarded.

Fortunately there was energy enough in congress to resist these plausible but delusive opinions, and when the ultimate question was proposed, an approving vote by all the colonies, gave to the measure of resistance that unanimity which secured its eventual success. Of the delegates from Pennsylvania, however, five still retained their sentiments in opposition to the majority. The approbation of the state was only obtained by the casting vote of Mr. Morton. Under these circumstances a new choice of representatives became necessary, and on the twentieth of July the convention of the state proceeded to elect them. Mr. Morton, Dr. Franklin, Mr. Morris, and Mr. Wilson were re-elected, and in lieu of the other five gentlemen were substituted Mr. Taylor, Mr. Ross, Mr. Clymer, Dr. Rush and Mr. Smith. On the same day Mr. Taylor took his seat in congress.

On the second of August following Mr. Taylor signed the Declaration of Independence. It was not until that time, that any delegate actually affixed his signature to the instrument; for although it was passed and proclaimed on the fourth of July preceding, the copy engrossed on parchment, was not prepared until nearly a month after. These circumstances have once or twice given rise to errors, but they are fully explained in a letter from Mr. M'Kean, one of the delegates from Delaware, which will be found inserted in his life. The acts of Mr. Taylor while a member of congress, are involved in the same obscurity which surrounds every other part of his life, public and private. The journals of congress do not often mention him, nor have we any means of forming an opinion of the peculiar turn of talent which he displayed, or line of services which he rendered. He was engaged for some time in a negotiation, on behalf of the United States, with several of the Indian tribes on the borders of the Susquehanna, and appears to have formed a treaty with them at Easton, where he had now taken up his residence.

In March, 1777, he retired from congress and never after engaged in public service. Settled at Easton, in the neighbourhood of his estates, he devoted the declining years of his life to increase their value, and somewhat to recover from the losses he had sustained by

long estrangement from his domestic affairs. In these peaceful pursuits four years slipped quietly away. On the twenty-third of February, 1781, he died, being, at the time, sixty-five years of age. He has no legitimate living descendants.

We have no other means to judge of the peculiar character of Mr. Taylor, than the slight incidents we have recorded in this memoir. From these we may fairly conclude, that he was a man of strong native parts, and of honourable conduct, industrious and enterprising in his habits, and useful in times requiring firmness and strong good sense. He is of course almost forgotten, even in the country where he used to reside; but the old men of the neighbourhood who recollect him, when asked about his character reply, that "he was a fine man and a furious whig."



RES. OF JAS WILSON "FORT WILSON"
NW cor Third & Walnut Sts Philadelphia

JAMES WILSON.

JAMES WILSON was born in the Lowlands of Scotland. His family was respectable, but not wealthy, and resided in the neighbourhood of St. Andrews, formerly the metropolis of the Pictish kingdom, and well known for its university, founded in 1411. His father was a reputable farmer, and a man of character: that he was in good circumstances, appears probable, from the education given to his son; but he is said to have injured his affairs by the same passion for speculation which that son unfortunately inherited. After the death of his father, his mother again married, and must have been in straitened circumstances, as Mr. Wilson frequently sent her pecuniary aid from this country, even when he was himself much embarrassed.

Mr. Wilson received an excellent classical education. After leaving the grammar school, he studied at Glasgow and Edinburgh, and previously, for a short period, at St. Andrews. It was under the tuition of the famous Dr. Blair, in rhetoric, and of the not less celebrated Dr. Watts, in rhetoric and logic, that he laid the foundation of the celebrity which he subsequently acquired, as a powerful orator, and almost irresistible logician. His youthful character was correct and praise-worthy.

Soon after the completion of his education, and without selecting or embracing any profession, he resolved to emigrate to America, and endeavour, by the exercise of the talents, industry, and integrity, which he amply possessed, to realize, in a new country, that independence which his own could not afford. He arrived at New York in about the twenty-first year of his age, bringing with him an excellent classical and scientific education, and attainments especially conspicuous in history and natural law. In the beginning of the year 1766 he reached Philadelphia, with highly commendatory letters to gentlemen of that city, one of whom was Dr. Richard Peters, rector of Christ and St. Peter's churches, by whom he was particularly patronised, and introduced as an usher into the Phila-

delphia college and academy. Dr. Peters had been the secretary of the province, and during forty years, the confidential friend and agent of the proprietaries. He was an original trustee of the college and academy, and being a man of learning, and zealous in its cause, was a competent judge of the capacity of any person presenting himself as a tutor, or professor. Mr. Wilson was considered by the trustee, before whom he was examined, as the best classical scholar who had offered as a tutor in the Latin department of the college.

In this office he only remained a few months; when, through the instrumentality of his early, familiar, and constant friends, Bishop White and Judge Peters, he obtained the situation of student of law, in the office of Mr. John Dickinson. The funds necessary to accomplish this object, and for maintenance during the prosecution of his studies, consisted of money taken on interest, by the mortgage of a farm which he purchased from his relative, Mr. Annan, a seceding minister, who, it is said, received satisfaction for the property, by assurances made good in Scotland.

After two years ardent application to the study of his profession, Mr. Wilson first settled in Reading, but soon removed to Carlisle, where he became an eminent counsellor at law, and obtained considerable practice, previous to the revolutionary struggle. He afterwards went to Annapolis, in Maryland, and after remaining there one year, removed to Philadelphia, in 1778, where he continued to reside during the remainder of his life.

At a time when universal agitation prevailed amongst all classes of society with respect to the disputes existing between Great Britain and her North American colonies, and when the minds of those best qualified, by nature and education, to enter on the subject, were intensely excited by patriotic resentments and gloomy anticipations, it was not to be expected that Mr. Wilson would remain an idle spectator of passing events. He commenced his political career as soon as the British government began their oppressions. He wrote and published many able and luminous essays in favour of the rights of America, and never swerved from his attachment to our cause.

Mr. Wilson was a member of the provincial convention of Pennsylvania, which met early in the summer of 1774, a few months previous to the meeting of the first general congress. During its session, his talents and political science became known throughout the city of Philadelphia, and it being understood that the

assembly, at its first meeting, would appoint delegates to congress, the convention recommended that Mr. Dickinson and Mr. Wilson should be among the number. This recommendation was rejected; a measure ascribed to the influence of the speaker, Mr. Galloway, an eminent lawyer of Philadelphia, who joined the British when they took possession of the city, who had been long at enmity with Mr. Dickinson, and who had differed from both of them in political sentiments.

When military movements were first made, Mr. Wilson, then resident in Carlisle, was chosen colonel of a regiment of militia, raised in the county of Cumberland. He acted in that capacity when occasions demanded his services, and the public stores and magazines in Carlisle were committed to his charge; but he was never in active service, owing, probably, to his very frequent civil appointments. He was, also, a commissioner to treat with the Indians, a duty which he executed successfully.

Notwithstanding the opposition which Mr. Wilson had encountered, when proposed as a delegate to the first continental congress, which met in September, 1774, he was, on the sixth of May, 1775, together with Benjamin Franklin and Thomas Willing, added to the Pennsylvania delegation, by the unanimous voice of the assembly, and accordingly took his seat in the second congress, which met at Philadelphia, on the tenth of May, 1775. To this honourable and distinguished station he was successively re-appointed, on the third of November, 1775, the twentieth of July, 1776, and the tenth of March, 1777.

At a meeting of the general assembly, held on the fourteenth of September, 1777, the house resumed the consideration of the choosing new delegates to serve the state in congress, when it was resolved, that new delegates "be immediately elected instead of Jonathan B. Smith, esquire, who has resigned, and of James Wilson and George Clymer, esquires, *who are hereby superseded.*" Their places were accordingly supplied by Joseph Reed, William Clingan, and Dr. Samuel Duffield. Thus early did the spirit of party deprive our country of the active services of its best and most efficient advocates. So early as the month of January preceding, Mr. Wilson was apprized by his friend, Robert Morris, of the plan in agitation to remove him from office. In a letter, dated the thirty-first of that month, Mr. Morris makes the following remarks; "I am told our assembly do not intend you shall be in the new list of delegates. I am too busy to attend, or I would contest the matter

warmly; although I well know, that the honesty, merits, and ability which you possess in so eminent a degree, would not be sufficient pleas against the previous determination of a strong party; for that, I am told, is the case. However, you will enjoy your family and friends at home, if you are deprived of the opportunity of continuing those services to your country, which she so much needs, and which, if I mistake not, she will feel the want of, until better men, in better times, shall call you forth again." Thus, in consequence of the ascendancy of the party opposed to him, Mr. Wilson retired, for a season, from public life.

But his talents were too splendid and useful to be permitted long to remain in political obscurity; and in the year 1782, he received the most distinguished evidences, that consistency and integrity will finally prevail over the machinations of faction. On the twelfth of November, of that year, he was re-elected to congress, and took his seat in that body, on the second of January, 1783. In the preceding month of June, he was appointed by the president and supreme executive council, in conjunction with William Bradford junior, Joseph Reed, and Jonathan D. Sergeant, a counsellor and agent for Pennsylvania, in the controversy subsisting between that state and Connecticut, relative to the settlement at Wyoming. The court of commissioners appointed to hear, and finally determine this important dispute, was held at Trenton, on the twelfth of November, 1782, and on the thirtieth of December, pronounced their unanimous opinion, that the state of Connecticut had no right to the lands in controversy, and that the jurisdiction and pre-emption of all the territory lying within the charter boundary of Pennsylvania, and then claimed by the state of Connecticut, did of right belong to the state of Pennsylvania. The successful result of this cause, may, in some degree, be attributed to the luminous and learned argument of Mr. Wilson, the delivery of which occupied several days. He was again appointed a delegate to congress, on the seventh of April, 1785, and attended on the twenty-sixth of the same month; and finally, on the eleventh of the succeeding month of November, resuming his honourable station on the twenty-second of March, 1786.

During the period of his absence from the great national council, he received frequent marks of the unabated confidence reposed in him, by those who were elevated above the influence of state or party feuds. On the fifth of June, 1779, M. Gerard, minister plenipotentiary of France, appointed Mr. Wilson advocate-general of the French nation, in the United States.

The attention of Mr. Wilson was, for some time, closely directed to the arduous duties of his office, and in forming plans relative to the commercial connexions of the United States with France. These duties were of very great extent and importance; and attended with no small degree of difficulty and delicacy. By the treaty of commerce between France and the United States, the functions of consuls, vice-consuls, agents, and commissaries, were to be regulated by a particular agreement; and it became the duty of the advocate-general to draw the sketch of a plan for this agreement, on the part of France. In other countries, usage, and rules previously established, greatly assisted in ascertaining the functions, powers, and privileges of public offices: but, in the United States, every thing of that nature was new and unprecedented. "I fancy myself," said Mr. Wilson, "in the situation of a planter, who undertakes to settle and cultivate a farm in the woods, where there has not been one tree cut down, nor a single improvement made." While the colonies were dependent on the crown of Great Britain, it was the policy of that nation to confine their commerce to herself; and their trade and navigation were regulated by the laws of England. But a very different, and a much nobler prospect, unfolded itself to the view, when Mr. Wilson entered on the duties of his office. The arrangements of commerce would necessarily expand with their objects; and those respecting the trade with France made a capital figure in the general system. In order to model and digest them, as the magnitude of the subject required, it was necessary accurately to know and to compare the laws of nations, the laws of France, and the laws, customs, and interior police of the United States. It was stipulated by Mr. Wilson with M. Gerard, on his acceptance of the office, that an annual salary should be annexed to it; and upon that principle, the nomination, which would otherwise have been refused, was accepted. This contract was extremely just, as an equivalent for the necessary abandonment of a large portion of his lucrative practice. But the Duke De Luzerne informed Mr. Wilson, in April, 1782, that the king did not intend to attach an annual salary to the office of advocate-general of the nation. This violation of the original compact decided the proper course to be pursued; he immediately addressed a letter to the French minister, in which he stated that he would not have accepted the office, but upon the terms that a salary should be annexed to it; that as it was determined that such should not be the case, he could no longer divert so much of his study and attention from the practice of the law, as he had

done for a considerable time." "But, sir," he continues, "I am a citizen of the United States, and feel what I owe to France. While the king is making such generous and such expensive efforts in behalf of my country, every service, of which my situation and circumstances will admit, is due to him. With the greatest cheerfulness, therefore, I will, during the war, give my best advice and assistance, in the line of my profession and practice, concerning such matters as the ministers and consuls of France will do me the honour of laying before me." Finally, after several years of labour, Mr. Wilson received from his most Christian majesty, in November, 1783, the princely remuneration of—ten thousand livres.

Congress also appointed him, on the thirty-first of December, 1781, during his absence from that body, one of the directors of the Bank of North America, planned by Mr. Morris for the purpose of supporting the finances of the United States.

Whilst Mr. Wilson was in congress, he was considered as one of its ablest members, and was, perhaps, more engaged in the business of committees, than any of his colleagues. His political standing was deservedly high, and he was always listened to with respectful attention. He particularly distinguished himself in all those weighty questions, which were agitated in that important crisis, when the settlement of our affairs, both civil and military, commanded the most serious and anxious attention. In June, 1775, he was of the committee which prepared an eloquent and nervous appeal to the assembly of Jamaica; and in July of the same year, when the Indians were divided into three departments, the northern, middle, and southern, and commissioners appointed by congress to superintend Indian affairs in behalf of the colonies, he was elected a commissioner for the middle department. He was also a member of the several committees, to take into consideration the state of the colonies, and report what number of forces would be necessary for their defence; to prepare a letter to the inhabitants of Canada; to prepare an address to the United Colonies; to take into consideration the state of the Indians in the middle department; to consider on the most speedy and effectual means for supporting the American cause in Canada; to confer with General Washington, and concert a plan of military operations; to devise ways and means for supplying the treasury; to form an effectual plan for suppressing the internal enemies of America; to devise and execute measures for effectually re-inforcing General Washington, and obstructing the progress of General Howe's army; to take into consideration

the state of the army; to explain to the several states, the reasons which induced congress to enlarge the powers of General Washington; to consider what steps were necessary to be taken, should the enemy attempt to penetrate through New Jersey, or to attack Philadelphia; to devise a plan for encouraging the Hessians and other foreigners, employed by the king of Great Britain, and sent to America for the purpose of subjecting the states, to quit that iniquitous service; &c. &c. &c. He was a member of the standing committee for Indian affairs, and of the standing committee appointed to hear and determine upon appeals brought against sentences passed on libels in the courts of admiralty in their respective states. He was also attached to the first board of war. In fact, no member was more frequently called upon to exert his talents, and no member exhibited more industry, capacity, and perseverance, in obeying the calls of duty, than James Wilson.

But, notwithstanding these active exertions in the cause of this country, Mr. Wilson became much involved in the political quarrels of the day. The principal charge on which those who opposed him relied, was his opposition to the Declaration of Independence. The injustice of this accusation will be apparent from the following testimony. Bishop White, in answer to the question, "Whether Mr. Wilson was opposed to independence?" replied: "Doubtless, Mr. Wilson voted for independence, although his being reconciled to the measure, as was the case with the best men finally favouring it, was gradual, and as was made necessary by existing circumstances." "I do not hesitate to say," says Judge Peters, "that Mr. Wilson never was opposed to our independence, when, like many others of the best friends to our country, he found it inevitably necessary. The time and manner created some differences of opinions, but the measure, when adopted, had universal approbation; I mean of the *whigs*, however divided in local and subordinate matters." Governor M'Kean, in a letter to the late Alexander James Dallas, relative to the Declaration of Independence, observes, "The delegates for Pennsylvania, who voted in the negative, were John Dickinson, Robert Morris, Charles Humphreys, and Thomas Willing; those in the affirmative, were John Morton, Benjamin Franklin, and James Wilson." Judge Duncan states it as "an undoubted fact, that on the first question concerning independence, the only delegates of Pennsylvania for it, were Mr. Wilson and Mr. Morton, although others of them concurred afterwards."

Thus, in the whole course of the proceedings of which we have

any knowledge, we find that Mr. Wilson uniformly voted in favour of independence; on the first of July, in opposition to the majority of his colleagues, and on the fourth, in the majority. But many sincere whigs considered a separation from the mother country, at that time, as one of the greatest evils that could befall us. Of this class was Mr. John Dickinson, who was always timid and hesitating, though sincerely attached to our cause. Mr. Wilson, who was bold and decided, could only have been coupled with him, to serve party or personal purposes.

Towards the close of the year 1777, a combination was formed against the commander-in-chief, in which several members of congress, and a very few of the officers of the army, are believed to have entered. The splendour with which the late capitulation of Saratoga had surrounded the military reputation of General Gates, acquired some advocates for the opinion, that the arms of America would be more fortunate, by the elevation of that gentleman to the supreme command; and some parts of the conduct of that officer showed, that if this opinion did not originate with him, he was not among the last to adopt it. He carried on a correspondence with General Conway, one of the most malignant partisans of the cabal, and pronounced by Washington to have been "a dangerous incendiary," in which the French officer observed, "heaven has been determined to save your country, or a weak general, and bad counsellors, would have ruined it." At the same time, the legislature of Pennsylvania, chagrined at losing its capital, remonstrated against the intentions of General Washington to move into winter-quarters in terms very intelligibly manifesting their dissatisfaction with the commander-in-chief; a new and unfriendly board of war was created, of which General Gates, his rival, (if such a term be not heretical,) was appointed the president; his calumniator, General Conway, was made inspector-general, and elevated above brigadiers older than himself, to the rank of major-general; and attempts were made, by anonymous communications, to alienate the affections of the leading political characters in the states, from the commander-in-chief. But it was impossible to loosen the hold which he had taken, of the affections and confidence of the army, and of the nation. No better evidence of its strength can be given, than the indignation with which the idea of such a change was received, even by the victorious troops, who had fought and conquered under Gates. Even the northern army clung to Washington, as the saviour of their country; and fortunately for America, the only effect of these combinations was

to excite a great degree of resentment, which was directed entirely against those believed to be engaged in them. General Gates fell under a cloud, whose obscurity was heightened by the disastrous battle of Camden; and Major-General Conway, after having exhibited conspicuous proofs of his cowardice at the battle of Germantown, by seeking refuge in a farm-house, and refusing to join his brigade which was engaged with the enemy, entertaining no hope of being called on to exercise the functions of his new office of inspector-general, and finding his situation in the army as uncomfortable as the scorn of honourable men could render it, tendered the resignation of his commission to congress, on the twenty-eighth of April, 1778, which was accepted with the dissenting vote of Virginia alone. After his resignation he frequently indulged in expressions, manifesting the hostility of his temper to the commander-in-chief; for which he was challenged by General John Cadwallader, with whom he had some altercation; received a wound, for some time believed to be mortal; and, despairing of recovery, and considering himself on the bed of death, made all the atonement in his power to the great man whom he had vainly endeavoured to defame, by a solemn recantation of his former opinions. He, however, recovered, and soon after went to France.

From the commencement of the revolution to the termination of his life, an event which occurred about a year before the death of General Washington, Mr. Wilson was considered by all those who knew him best, as one of the most decided friends, and enthusiastic admirers, of that illustrious man. Great, then, was the astonishment of his surviving relatives and friends, and of all those who had been taught to form a different opinion of the political character of Mr. Wilson, to find from the following paragraphs in the "Life of General Greene," published in 1822, the first intimation that he was attached to the cabal opposed to General Washington, in 1777 and 1778. "Yet certain it is, that at that time, he (Washington) had enemies; and among them were ranked Samuel Adams; the Lees of Virginia; *Wilson of Pennsylvania*, and some minor characters." (*Vol. i. p. 154.*) "The ascendancy of such men as Samuel Adams and Richard Henry Lee could not but be felt; and Mifflin and *Wilson*, leading men in *Pennsylvania*, were both avowedly hostile to him." (*Ibid. p. 166.*)

This charge is wholly unfounded. We contemplate, with indignation, all attempts to affix stains on the reputation of the worthy men who, in the several capacities in which they were engaged, achieved

the great event on which are founded all the prosperity and happiness of our country. Passions and prejudices, both personal and local, they certainly possessed,—for they were men; but they may be safely acquitted of any charge of indulging such prejudices or passions, when the great object in view required the sacrifice of private disagreements, or personal jealousies. So far as these observations apply to Mr. Wilson, he was as much exempted from personal animosities as any of his co-agents in the revolutionary struggle. There is a pernicious vanity in some historiographers, which excites them to rake up wonderful discoveries, both in relation to persons and circumstances, by which they expect to distinguish themselves. Mr. Wilson had enemies, as well as many others who were prominent in our revolutionary war. By some of these, or from documentary misrepresentations, the false imputation on his character, adopted by Judge Johnson, (the author of the book) was probably promulgated. Is it not absurd to suppose that Mr. Wilson could have been “avowedly hostile” to General Washington, and yet that this should be unknown even to his most intimate friends? Can we attach credit to the charge, when those friends, without exception, always believed him to be a uniform and sincere admirer of the general? Besides, Mr. Wilson was not, at the period referred to, in public life, but pursuing his professional duties at Carlisle. Nor, with a single exception, was he on terms of intimacy with those supposed to be engaged in the combination against the commander-in-chief: with some of them, indeed, he was on terms very far from friendly or intimate. “I know the charge,” said Mr. Richard Peters, “to be groundless and utterly false. I have had numberless conversations with him on our public men, and public measures, in all the stages both of our difficulties and triumphs. He was always the eulogist and admirer of General Washington; and indignantly affected when any thing was said or done, to sully his character or conduct. So far from being a leader of malcontents on this subject, I know he sincerely and warmly reprobated the jealousies and discontents of some who disgraced themselves by indulging them. The anti-Washingtonian malignities by which they exposed themselves, were offensive to every liberal mind; and to none more than to Mr. Wilson. Strange then, that he should be charged with being a *leader* in a *junto*, whose sentiments he despised.” If General Washington entertained an opinion that he was one of the faction which laboured to injure the cause by depriving him of his rank, would he have created him one of the first

associate judges of the supreme court, appointed under the federal constitution? Or would he, as was the case, have unhesitatingly overruled the intention expressed by his nephew, Bushrod Washington, of not entering the office of Mr. Wilson for the purpose of prosecuting his legal studies, by arguments strongly indicating the high opinion he entertained of him?

We have entered on this subject, to do justice to one who stood high in the councils of his country, and in the esteem and confidence of his fellow citizens: we desired, in the same public manner in which it was advanced, to clear his character from a censure, which was entirely unmerited. We cannot believe that Judge Johnson designedly misrepresented his character and principles, however we may regret the incorrect information on which his statement was founded: nor is it to be forgotten that had not some near, and deeply interested relative been living, the imputation might have descended to posterity, a lasting blemish on the character of Mr. Wilson. The prompt and feeling manner in which the author expressed his regret for the error which he had committed, and the immediate means which he employed to correct it, are the best proof of his desire to atone for the inadvertency into which he was led.

In the year 1779, the lives of Mr. Wilson and many of his friends were put in extreme hazard by a band of heated partisans, under the pretext of his holding sentiments inimical to popular institutions. By that time, party spirit in Pennsylvania had taken a consistency, and the politicians were divided into constitutionalists and republicans. The first rallied round the constitution already formed, which was reprobated by the others, for its total deficiency in checks, and counterbalancing powers, thence tending, as it was alleged, to rash, precipitate, and oppressive proceedings: the term *republicans* was embraced, as recognising the principles of the revolution, and as indicative, perhaps, of tenets, which admitted the utility of modifications and restraints, in a system resting upon the broad basis of general suffrage and popular sovereignty. Mr. Wilson was one of the leading men of the republican party, who agreed that they would not accept of any office or appointment under the constitution, which, in that case, they would be bound, by an oath, to support. This circumstance offended, and inflamed, the constitutional party, and with other exciting causes, however unjust, led to the outrage which we are about to record. The consequences of a rapidly depreciating currency were very distressing to many, who were incapable of tracing them to their cause: for example, every

tradesman who had engaged in a piece of work, felt, when paid for it, that he did not receive, except in name, what he had contracted for. Artful and designing incendiaries had the address to persuade many of the sufferers, that the evil was owing to the merchants, who monopolized the goods; and to certain lawyers, who rescued the tories from punishment, by pleading for them in court. Mr. Wilson had become particularly obnoxious. Sydney and Russel were uniformly celebrated as patriots, until the advocates of arbitrary power held them up as pensioners to France. He was charged, in his professional character, with defending and patronizing tories, and befriending the foes to the principles on which the opposition to the arbitrary claims of the British administration was founded. Yet he was, in fact, a most decided friend of a popular government, and mainly assisted in every measure calculated for its establishment. The affair of "Fort Wilson," as his house was thereafter denominated, flowed from this mistaken opinion, of which those who concocted that disgraceful transaction took advantage, for party purposes.

About the middle of September, 1779, a committee, appointed at a town meeting, regulated the prices of rum, salt, sugar, coffee, flour, &c. a measure which was strongly opposed by the importers. Robert Morris, Blair M'Clenachan, John Willcocks, and a number of other staunch whigs, had a quantity of these articles in their stores, which they refused to dispose of, at the regulated prices. About the last of the month, a great number of the lower class from the city and liberties, collected and marched through the city, threatening to break open the stores, distribute the goods, and punish those who refused to open their warehouses. On the morning of the fourth of October, placards were posted, menacing Robert Morris, Blair M'Clenachan, and many others: Mr. Wilson was proscribed by the mobility, for having exercised his professional duty as a lawyer, in behalf of certain persons who had been prosecuted for treason; and the punishment decreed for this crime, was banishment to the enemy, yet in New York. But this was not the real cause which produced so lamentable an instance of popular delusion; *that* was to be found in the superior talents and respectability of the republican party.

The gentlemen threatened, determined to defend themselves, and with a number of their friends, to the amount of about thirty or forty, took post at the south-west corner of Walnut and Third streets, in a house belonging to, and occupied by Mr. Wilson: it was then a large, old-fashioned, brick building, with an extensive garden on Third, and on Walnut streets. They were provided with

arms, but their stock of ammunition was very small. While the mob was marching down, General Nichols and Daniel Clymer proceeded hastily to the arsenal, at Carpenter's Hall, and filled their pockets with cartridges: this constituted their whole supply.

In the mean time, the mob and militia, for no regular troops took part in the riot, assembled on the commons, while a meeting of the principal citizens took place at the coffee-house. A deputation was sent to endeavour to prevail on them to disperse, but without effect. The first troop of city cavalry, being apprised of what was going forward, and anxious for the safety of their fellow citizens, assembled at their stables, a fixed place of rendezvous, and agreed to have their horses saddled, and ready to mount, at a moment's warning. Notice was to be given to as many members as could be found; and a part was to assemble in Dock, below Second street, and join the party at the stables. For a time, a deceitful calm prevailed at the hour of dinner; the members of the troop retired to their respective homes, and the rioters seized the opportunity to march into the city. The armed men amounted to two hundred, and were commanded by Mills, a North Carolina captain; Faulkner, a ship-joiner; Pickering, a tailor; and one Bonham, a man of low character: they marched to Mr. Wilson's house, with drums beating, and two pieces of cannon. They immediately commenced firing on the house, which was warmly returned by the garrison. Finding they could make no impression, the mob procured from a blacksmith's shop in the neighbourhood, a crow-bar and sledge, and proceeded to force the door. At the critical moment when the door yielded to their efforts, the troops made their appearance: the cry of "the horse! the horse!" was raised; the rioters, ignorant of their numbers, dispersed in every direction; but not before two other detachments of the first troop had reached the scene. Many of them were arrested, delivered to the civil authority, and committed to prison; and as the sword was very freely used, a considerable number was severely wounded. One man and one boy were killed in the streets; in the house, Captain Campbell was killed, and Mr. Mifflin and Mr. Samuel C. Morris were wounded. The troop patrolled the streets the greater part of the night. The citizens turned out en masse, and placed a guard at the powder-magazine and the arsenal. It was some days before order was restored; and the troop, from the part they had taken, found it necessary to keep much together, and hold themselves in readiness to act in support of each other. Major Lennox was particularly marked out for

destruction. He retired to his house at Germantown. The mob followed, and surrounded it during the night, and prepared to force an entrance. Anxious to gain time, he pledged his honour that he would open the door as soon as day-light appeared. In the mean time, he contrived to despatch an intrepid woman, who lived in his family, to the city, for assistance; and a party of the first troop arrived in season to protect their comrade: but he was compelled to return to town for safety. He was, for a number of years, saluted, in the market, by the title of "brother butcher," owing, in part, to his having been without a coat on the day of the riot: having on a long coat, he was obliged to cast it aside, to prevent being dragged from his horse.

The gentlemen who had comprised the garrison, were advised to leave the city, where their lives were endangered. General Mifflin, and about thirty others, accordingly met at Mr. Gray's house, near the lower ferry on Schuylkill, where a council was called, and it was resolved to return to town, without any appearance of intimidation. But it was deemed expedient that Mr. Wilson should absent himself for a time: the others continued to walk as usual in public, and attended the funeral of the unfortunate Captain Campbell.

Thus ended this disgraceful affair. Had it not been for the spirited, prompt, and energetic conduct of the first troop, the lives of many very valuable citizens, and genuine whigs, would have been sacrificed, and an indelible disgrace entailed upon the city of Philadelphia. It was generally believed, at that time, that the mob had been instigated by certain secret political enemies to the gentlemen in the house, who were attached to the republican party. Some alleged that individuals high in office excited the tumult; but this is not to be accredited. Others thought, with more reason, that the disorder was suffered to proceed to a certain length, under the belief that a seasonable stop could be put to it; and with the prospect of being applied to for protection by the gentlemen in danger, who were the political enemies of those in power: whether the latter ought to have interfered without application, or whether the former ought to have made it, are questions which it is now needless to decide on. It appears to be certain, that those who attacked the house belonged to the constitutional party; and the constitutional society, on the eighth of October, made a collection for the wounded, and the families of the killed. Prosecutions commenced on both sides, but were finally quashed. The general assembly, or what was the same thing, the constitutional party, on the tenth of Octo-

ber. 1779, presented the thanks of the house to his excellency, the president of the state, for his "spirited and prudent conduct on that unhappy occasion;" and on the thirteenth of March, 1780, passed an act of oblivion, granting a free and general pardon for the offences committed on the fourth of October.

On the twenty-fifth of May, 1787, being the first day on which a sufficient number of members appeared to constitute a representation of a majority of the states, Mr. Wilson attended as a delegate from Pennsylvania, to the convention which then assembled in Philadelphia, for the purpose of forming the constitution of the United States. A surviving member of that body observes, that, "in his opinion, the most able and useful members of it, were James Wilson and James Madison; that he is in doubt which of these deserved the preference, but was inclined to give it to the former. It is also said, that General Washington expressed a high opinion of the merits and services of Mr. Wilson in that convention. Being a fluent speaker, and possessing deep political sagacity and foresight, he entered almost daily, during the long deliberations of the convention, into the arguments which arose on the great and important points, necessarily involved in the formation of a new and adequate system of government. He particularly insisted, in the course of the debates, that the national legislature ought not to be appointed by the state legislatures; but that the national legislative powers ought to flow immediately from the people, so as to contain all their understanding, and to be an exact transcript of their minds; that the state governments ought to be preserved, because the freedom of the people, and their internal good police, depended on their existence in full vigour, but that such a government could only answer local purposes, and that it was impossible that a general government, as despotic as even that of the Roman emperors, could be adequate to the government of the whole, without this distinction. To the argument that each state, according to a confederation, ought to have an equal vote, Mr. Wilson was decidedly opposed. He observed that a majority, nay, even a minority of the states, had a right to confederate with each other, and the rest might do as they thought best. He considered numbers as the best criterion to determine representation; and that it would be unjust to permit a small state to have the same right and influence in the councils of the nations as a large one. I never, said he, will confederate on this plan. If no state will part with any of its sovereignty, it is in vain to talk of a national government. The state which has five

times the number of inhabitants, ought, nay, must have the same proportion of weight in the representation. If there was a probability of equalizing the states, he would support it. But we have no such power. If, however, we depart from the principle of representation in proportion to numbers, we will lose the object of our meeting. Inequality in representation poisons every government. The English courts are hitherto pure, just, and incorrupt, while their legislature is base and venal. The one arises from unjust representation, the other from their independence of the legislature. Lord Chesterfield remarks, that one of the states of the United Netherlands withheld its assent to a proposition, until a major of their state was provided for: he needed not to have added, (for the conclusion was self-evident,) that it was one of the lesser states. I mean no reflection; but I leave it to gentlemen to consider whether this has not also been the case in congress? On the same subject, he remarked: "Confederations are usually of a short date. The Amphictyonic council was instituted in the infancy of the Grecian republics; as those grew in strength, the council lost its weight and power. The Achæan league met the same fate; Switzerland and Holland are supported in their confederation, not by its intrinsic merit, but the incumbent pressure of surrounding bodies. Germany is kept together by the house of Austria. True, congress carried us through the war, even against its own weakness. That powers were wanting, you, Mr. President, (Washington,) must have felt. To other causes, not to congress, must the success be ascribed. That the great states acceded to the confederation, and that they, in the hour of danger, made a sacrifice of their interest to the lesser states, is true. Like the wisdom of Solomon, in adjudging the child to its true mother, from tenderness to it, the greater states well knew that the loss of a limb was fatal to the confederation; they too, through tenderness, sacrificed their dearest rights to preserve the whole. But the time is come when justice will be done to their claims. Situations are altered." But it is impracticable to follow Mr. Wilson through the long and varied discussions, produced by the agitation of so many important questions, in which he generally took a conspicuous part. On the twenty-third of July, it was resolved, "That the proceedings of the convention for the establishment of a national government, except what respects the supreme executive, be referred to a committee for the purpose of reporting a constitution conformably to the proceedings aforesaid;" and on the next day, this committee, called, in the journal, "the

committee of detail," was appointed: it consisted of five members, Messrs. Wilson, Rutledge, Randolph, Gorham, and Elsworth; who, accordingly, on the sixth of August, 1787, reported the draught of a constitution.

Mr. Wilson was also one of the convention which ratified the federal constitution in behalf of the state of Pennsylvania; and as he was the only member of the general convention that had a seat in that of the state, he considered it his duty to prepare the way for their deliberations, by unfolding, in a long, learned, and powerful speech, the difficulties which the federal convention had to encounter; by pointing out the end which they proposed to accomplish; and by tracing the general principles which they had adopted for the accomplishment of that end.

On the sixth of October, he concluded a strong argument in favour of the ratification of the constitution, in the following decisive and energetic manner: "It is neither extraordinary nor unexpected, that the constitution offered to your consideration should meet with opposition. It is the nature of man to pursue his own interest, in preference to the public good; and I do not mean to make any personal reflection, when I add, that it is the interest of a very numerous, powerful, and respectable body to counteract and destroy the excellent work produced by the late convention. All the officers of government, and all the appointments for the administration of justice, and the collection of the public revenue, which are transferred from the individual to the aggregate sovereignty of the states, will necessarily turn the stream of influence and emolument into a new channel. Every person, therefore, who either enjoys, or expects to enjoy, a place of profit under the present establishment, will object to the proposed innovation; not, in truth, because it is injurious to the liberties of his country, but because it affects his schemes of wealth and consequence. I will confess, indeed, that I am not a blind admirer of this plan of government, and that there are some parts of it which, if my wish had prevailed, would certainly have been altered. But, when I reflect how widely men differ in their opinions, and that every man (and the observation applies likewise to every state,) has an equal pretension to assert his own, I am satisfied that anything nearer to perfection could not have been accomplished. If there are errors, it should be remembered, that the seeds of reformation are sown in the work itself, and the concurrence of two-thirds of the congress may, at any time, introduce alterations and amendments. Regarding it, then, in every point

of view, with a candid and disinterested mind, I am bold to assert, that it is the BEST FORM OF GOVERNMENT WHICH HAS EVER BEEN OFFERED TO THE WORLD."

On the fourth of July, 1788, Mr. Wilson was selected to deliver the oration, at the famous procession formed at Philadelphia, to celebrate the adoption of the constitution of the United States.

By the ratification of the federal constitution, the *constitutional* party of Pennsylvania was laid at the feet of the *republicans*, who, triumphing under the appellation of *federalists*, overwhelmed their adversaries with the short-lived odium of *anti-federalism*. A convention was now called for altering the constitution of the state of Pennsylvania, so as to render it more conformable to that of the United States. This body was considered highly respectable for its abilities: among the men of note who were delegated to it, were Messrs. Wilson, M'Kean, Lewis, Ross, Addison, Sitgreaves, Pickering, Gallatin, Smilie, and Findley.

The most able debaters in the convention, were Wilson and Lewis. Ross, Addison, Sitgreaves, and Gallatin, were comparatively young statesmen; though the three first acquitted themselves in a handsome manner, the latter did not venture beyond an isolated observation. Wilson was truly great, but enthusiastically democratic. The symptoms of returning reason, evinced in the adoption of the federal constitution, had probably put him in good humour with the people, and made him more than ever in love with "free and independent man." By an animated speech, and captivating theory, in favour of a popular vote, he defeated the plan in contemplation, to choose the governor by electors, or some distillation from the general mass. Such facts prove the injustice of charging him with anti-democratical sentiments. In fine, the character of his eloquence, the weight of his reasoning, and his extensive and accurate knowledge of the science of government, made him one of the most prominent members of the convention. He was one of the committee to prepare the form of the constitution; and the task of drawing up that instrument devolved on him.

In October, 1789, Mr. Wilson was appointed, by President Washington, one of the first judges of the Supreme Court of the United States, under the present constitution. In the selection of persons for high judicial offices, Washington consulted public opinion, as well as intrinsic worth; and a high degree of character was blended with real talent. In a letter, written on the occasion to John Rutledge, he makes the following remarks: "Regarding

the due administration of justice as the strongest cement of good government, I have considered the first organization of the judicial department as essential to the happiness of the people, and to the stability of the political system. Under this impression, it has been with me an invariable object of anxious solicitude, to select the fittest characters to expound the laws, and to dispense justice." At the head of a department, deemed by himself so important, he placed Mr. John Jay; and nominated, as associate justices, James Wilson of Pennsylvania, John Rutledge of South Carolina, William Cushing of Massachusetts, Robert Harrison of Maryland, and John Blair of Virginia. Some of these gentlemen had filled the highest law offices in their respective states; and all of them had received distinguished marks of the public confidence. In this office, Mr. Wilson continued until his death, when he was succeeded by Bushrod Washington. His character and conduct on the bench, were very highly esteemed for integrity and ability, and his deportment towards the bar, and the parties, was dignified, gentlemanly, and conciliating.

In the year 1790, the law professorship in the college of Philadelphia was established; and Mr. Wilson was appointed first professor. The extent of his plan of lectures rendered it impossible for him to go through his whole subject in one season: three courses were necessary for the purpose. His first course was delivered in the winter of 1790-91, and his second, in a great measure, in the following winter. In April, 1792, the college of Philadelphia and the University of Pennsylvania were, by an act of assembly, united into one institution, under the latter title. A law professorship was erected in the new seminary, and Mr. Wilson again appointed to fill the chair: but no lectures were delivered after the union. His lectures on law are included in his works, which were published in 1804, in three volumes octavo.

In March, 1791, the house of representatives of the general assembly of Pennsylvania resolved to appoint a person to revise and digest the laws of the commonwealth; to ascertain and determine, how far any British statutes extended to it; and to prepare bills, containing such alteration, additions, and improvements, as the code of laws, and the principles and forms of the constitution, then lately adopted, might require. Mr. Wilson was unanimously appointed for that purpose; and, in a letter to the speaker, dated the twenty-fourth of August, 1791, he submitted to the house of representatives, a long, able, and elaborate plan, formed in consequence of their ap-

pointment. In the execution of it, Mr. Wilson made very considerable progress. It had been undertaken, however, under the authority of only one of the houses of the assembly, without the sanction of the other; and in the course of its execution, it was found, that the want of legislative sanction, and of a provision for making pecuniary compensation to persons necessarily employed as assistants in a work of so much labour and importance, joined with the difficulty of obtaining many useful and necessary books connected with the subject, had retarded its progress, and thrown considerable impediments in the way of its completion. An attempt was made to remove these obstacles; and a bill was passed for that purpose by the house of representatives: but it was unfortunately negatived in the senate. The design of framing a digest under the authority of the legislature, was, of course, relinquished. But Mr. Wilson still contemplated the execution of a similar design, as a private work, and supported only by his own name. This occupied, for a long time, his assiduous attention: he had, in a great degree, prepared the materials; but did not live to arrange them, and to compose the proposed work. *

Mr. Wilson was the acknowledged head of the Philadelphia bar, and engaged in almost every important cause; but his ability as a judge is said not to have equalled his eminence as a lawyer. He shone more conspicuously at the bar than on the bench. With sound logic, and mature judgment, he combined a graceful delivery, and ready command of language, which captivated all around him. When he appeared before the assembly, in 1778, on the famous question of the Chester county election; a year or two after, in the great proprietary cause; and subsequently, in that which restored the college to its former trustees; he displayed the most extensive erudition, and the energy of his mind commanded universal admiration. There was something singular in his mode of arriving at his goal. He appeared studiously to avoid the beaten track; but never failed to throw the strongest lights on his subject and theme, rather to flash, than elicit conviction syllogistically. "At any rate," says Graydon, "he produced greater orations than any other man I have heard; and I doubt much whether the ablest of those who sneer at his occasional simplicities, and 'brilliant conceits,' would not have found him a truly formidable antagonist."

Mr. Wilson devoted little of his time to the students in his office, (among whom were Judge Washington and Samuel Sitgreaves,) and rarely entered it, except for the purpose of consulting books. Hence

his intercourse with them was rare, distant, and reserved. As an instructor, he was almost useless to those who were under his direction. He would never engage with them in professional discussions; to a direct question, he gave the shortest possible answer; and a general request for information was always evaded. He soon withdrew, almost entirely, from the common law courts, in which he seldom appeared, and not always to advantage. He seemed either to have forgotten, or to have become incapable of descending to the numberless technical and minute details of form, &c. which are indispensable to the practising lawyer in those courts. And he became so frequently entangled in these "*cobwebs*," as he called them, wound around him by men of inferior capacities, that it excited in him an unconquerable disgust, which he could not conceal. His practice was then almost exclusive in the admiralty courts, and particularly, in the court of appeals established by the old congress.

He was, in truth, a learned man, and a profound lawyer; distinguished for his scientific attainments, and conspicuous for his political talents. Possessed of comprehensive means, he had closely devoted himself to the researches which afford materials for the construction of republican institutions; and which, in his hands, would have been absolutely perfect, if political data admitted of mathematical results. He was invested with the diploma of doctor of laws. His various writings indicate a vigorous and comprehensive mind. He wielded his pen, at an early date, in defence of American rights, and in 1774, published a pamphlet entitled "Considerations on the nature and extent of the legislative authority of the British parliament," which was much admired. He rested his arguments on a broader base than any writer had yet done, although it was subsequently adopted; and boldly denied *in every instance*, the authority of parliament. Before this time, between the years 1767 and 1769, he wrote a number of essays conjointly with Bishop White, under the title of "The Visitant." His "Considerations on the bank of North America," published in 1785, evince an intimate knowledge of banking, and a patriotic desire to support an institution which had rendered such essential services to the country. This publication was occasioned by a bill, introduced into the legislature of Pennsylvania, to repeal an act of assembly passed in the year 1782, by which a charter of incorporation had been granted to the Bank of North America: the bill was passed into a law, in September, 1785.

Mr. Wilson was more a man of books, than of the world; and always possessed a simplicity, in this respect, which afforded frequent

cause of good-humoured merriment to his friends. In private life, he was friendly, interesting, and hospitable ; amiable and benevolent in his deportment ; of strict truth and integrity ; and affectionate and indulgent as a husband and a father. In a word, his domestic character and conduct were such, as uniformly to secure the reverence and affection of his family and friends.

He was first married, about the year 1771 or 1772, to Miss Rachael Bird, the youngest daughter of William Bird, of Berks county, proprietor of the fine seat and iron-works on the Schuylkill, called Birdsborough. She died in April, 1786. By this marriage, he had six children. Mr. Wilson's second wife was Miss Hannah Gray, an amiable young lady of Boston, and second daughter of Mr. Ellis Gray, a merchant of that city. By this marriage he had one son, Henry, who died in infancy. ■

Mr. Wilson was about six feet in height ; very erect. His person was dignified and respectable ; and his manner a little constrained, but not ungraceful. His features could not be called handsome, although they were far from disagreeable ; and they sometimes bore the appearance of sternness, owing to his extreme nearness of sight. His voice was powerful, but its cadence perfectly modulated.

He died on the twenty-eighth of August, 1798, in the house of his colleague, Judge Iredell, at Edenton, North Carolina, in about the fifty-sixth year of his age, while on a circuit in his judicial character, and was interred at that place.



RES. OF GEORGE ROSS.
LONDON: 1845.



GEORGE ROSS.

GEORGE ROSS of Lancaster, in Pennsylvania, one of the delegates from that province in the revolutionary congress, was the son of the Reverend George Ross, pastor of the Episcopal church, at New Castle, in the state of Delaware, and was born in that town in the year 1730. In his early youth he displayed a cheerful and affable disposition, and gave proof of promising talents; these his father attentively cultivated, and made him especially a good scholar in the ancient languages. At the age of eighteen he commenced the study of the law, and prosecuted it under the instructions of his elder brother John, a lawyer of good standing in the city of Philadelphia; when he had finished the regular course of reading, he was called to the bar. Finding the ranks of the profession were filled in the city, he determined to try his fortunes in the interior country, and settled at Lancaster, then near the western limits of civilization, about the year 1751. He had not been long a resident of that place before he married Miss Ann Lawler, a lady of a respectable family; and devoting himself zealously to his profession, obtained a lucrative and increasing practice, with the honourable office of prosecutor for the king.

Actively engaged in his profession, he does not appear to have taken any part in politics for some years, so that the first public notice we obtain of him, is his election as a representative in the assembly of Pennsylvania, in which he took his seat in the month of October, 1768. He remained a member of the same body until he was called to higher offices at a subsequent period, and during the whole time merited and obtained the utmost confidence, both from his colleagues and his constituents. Whilst in the legislature, he seems to have paid particular attention to the situation of our intercourse with the various Indian tribes settled within the state, or wandering near its borders.

But Mr. Ross was soon destined to act as the organ of the assembly, in more important affairs than the quarrels about the mainten-

ance of a petty garrison, or the aggression of a few Indian tribes. He had looked with all the indignation natural to a freeman, on the arbitrary proceedings of the British government, and had been for some time convinced, that a general co-operation among the several provinces was necessary to secure their liberties. He hailed therefore with delight, the resolutions of Virginia and the other states, proposing the assembly of a general congress. They were not received in the assembly of Pennsylvania until it was on the eve of dissolution, and it was therefore thought more respectful to the people, that whatever measures might be adopted, should proceed from a future assembly, who would meet well aware of the sentiments of their constituents. Mr. Ross was, however, appointed on a committee to draught a reply to the speaker of the house of delegates in Virginia, and in so doing took care to express the cordial feelings he entertained. "The assembly of Pennsylvania," he says, "assure your honourable house, that they esteem it a matter of the greatest importance to co-operate with the representatives of the other colonies, in every wise and prudent measure which may be proposed, for the preservation and security of their general rights and liberties; and that it is highly expedient and necessary, a correspondence should be maintained between the assemblies of the several colonies. But as the present assembly must, in a few days, be dissolved, by virtue of the charter of the province, and any measures they might adopt at this time, rendered by the dissolution ineffectual, they have earnestly recommended the subject-matter of the letter and resolves of the house of burgesses of Virginia, to the consideration of the succeeding assembly."

In the month of July following, it was unanimously resolved, to appoint a committee of seven members on the part of the province, to meet the delegates of the other colonies at such time and place as might be generally agreed on; and Mr. Ross was elected one of the members of this committee. He was also by a singular coincidence, at the same time appointed to draw up the instructions under which they, and himself as one of them, were to act; these however are, very properly, simple and general in their terms; leaving in a great degree the course to be adopted, such as future circumstances might require. Under these instructions Mr. Ross took his seat in congress, on the fifth of September, 1774, and remained a member of that body until January, 1777, when he obtained leave of absence, on account of indisposition, and retired.

His conduct met with the warm thanks and approbation of his

constituents; and of this an honourable evidence has been preserved, in a resolution passed by the county of Lancaster, which is as follows: "Resolved, that the sum of one hundred and fifty pounds out of the county stock, be forthwith transmitted to George Ross, one of the members of assembly for this county, and one of the delegates for this colony in the continental congress; and that he be requested to accept the same, as a testimony from this county of their sense of his attendance on the public business, to his great private loss, and of their approbation of his conduct. Resolved, that if it be more agreeable, Mr. Ross purchase with part of the said money a genteel piece of plate, ornamented as he thinks proper, to remain with him as a testimony of the esteem this county has for him, by reason of his patriotic conduct in the great struggle for American liberty." Mr. Ross, however, declined accepting this liberal and honourable present; stating to the committee, in so doing, that his services were overrated by his fellow citizens; that in bestowing them he had been impelled solely by his sense of duty, and that every man should contribute all his energy to promote at such a period the public welfare, without expecting pecuniary rewards.

The occupations of congress did not however prevent Mr. Ross from continuing his duties as a member of the provincial legislature, where we constantly find his name recorded among the zealous political leaders of the time. Early in the year 1775, Mr. Penn, the governor and proprietary of the province, sent a message to the assembly referring to the peculiar situation of the colony; and though couched in mild and conciliatory language, evidently meant to repress, if possible, the mode of proceeding which had been pursued, by the union and co-operation of all the colonies.

It was the universal custom, at this period, for the assembly to reply at once to the messages of the governor, and on the present occasion, it of course obliged the members of the house to express their opinions, and to decide at once, whether the plan hitherto pursued should be retracted, or whether they should firmly stand by congress and support its measures. The talents of the political leaders of the day were called out, and they exerted themselves, in several long debates, in favour of their several opinions. Mr. Ross was an able speaker, and urged the continuance of decisive measures with all the weight of his talents, character, and influence; and he and his friends so far succeeded, as to obtain the appointment of a committee coinciding in their views, and of which he was a member. This committee presented, as their report, an answer to the gover-

nor's address, in the following terms; "We are sincerely obliged to your honour for your attention to the true interests of the people over whom you preside, at a time when the disputes between Great Britain and the American colonies are drawing towards an alarming crisis; and we agree with you, 'that in all cases wisdom dictates the use of such means as are most likely to obtain the end proposed.' We have, with deep concern, beheld a system of colony administration, pursued since the year 1763, destructive to the rights and liberties of his majesty's most faithful subjects in America, and have heretofore adopted such measures as we thought were most likely to restore that affection and harmony between the parent state and the colonies, which it is the true interest of both countries to cultivate and maintain, and which we most sincerely wish to see restored. We must inform your honour, that a most humble, dutiful and affectionate petition from the delegates of all the colonies, from Nova Scotia to Georgia, is now at the foot of the throne, and we trust in the paternal affection and justice of our most gracious sovereign, that he will interpose for the relief of his greatly distressed and ever faithful subjects in America. We assure your honour, that this house will always pursue such measures, as shall appear to them necessary, for securing the liberties of America, and establishing peace, confidence and harmony between Great Britain and her colonies." On the presentation of the report, another violent debate arose, which lasted for two days, when it was carried by a majority of twenty-two to fifteen voices.

In the summer of 1775, the legislature found that measures more vigorous than resolutions were necessary, and they determined at any rate to make preparation to meet the consequences of their previous measures, whatever they might be. To this end they appointed Mr. Ross, and several of the leading members of assembly, a committee to consider of and report such measures as might be expedient to put the city and province in a state of defence. This committee, after deliberating a few days, brought in a series of resolutions, approving of the association of the people for the defence of their lives, liberty, and property, providing for the pay of such of them as should be engaged in repelling any hostile invasion of the British troops, and recommending the several counties of the province to collect stores of ammunition and arms. To carry their plans better into effect, they appointed a general committee of public safety, for calling forth such of the associators into actual service, when necessity requires, as the said committee should judge proper,

for paying and supplying them with necessaries, while in actual service, for providing for the defence of the province against invasion and insurrection, and for encouraging and promoting the manufacture of saltpetre; which said committee were thereby authorized and empowered to draw orders on the treasurer therein after appointed for the several purposes above mentioned. Of this committee, which became for some time, as it were, the executive organ of the government, Mr. Ross was a leading member, as he was also of another important committee, that of grievances. Besides these duties relative to the war, he was appointed, with two other gentlemen, to prepare rules and regulations for the government of the forces of the province which might be raised.

When the proprietary government was dissolved, and the general convention substituted for the previous legislature, Mr. Ross took his seat in it also, as a representative of Lancaster county. He was, within a few days after its organization, appointed on a committee to prepare a declaration of rights on behalf of the state, and chairman of two others of much importance—that for forming regulations for the government of the convention, and that for preparing an ordinance declaratory of what should be high treason and imprisonment of treason against the state, and what punishment should be inflicted for those offences.

Indeed, in all legal matters, Mr. Ross at this period stood deservedly high. Before the revolution, he was among the first of his profession; and in the change which that event had produced in its component parties, as well as its forensic character, he still maintained the same rank. These changes were indeed very considerable; subjects of higher importance than those which commonly fall to the lot of provincial judicatures were brought forward; motives sufficient to rouse all the latent energies of the mind were constantly presenting themselves. The bar was chiefly composed of gentlemen of aspiring minds and industrious habits; and Mr. Ross found himself engaged among men, with whom it was honourable to contend and pleasant to associate. Mr. Wilson, who had practised with great reputation at Carlisle; Mr. Biddle, from Reading; Gouverneur Morris occasionally, and occasionally Mr. Reed, till he was chosen a member of the chief executive council; Mr. Sergeant, who, in 1777, was appointed attorney-general; and Mr. Lewis, of Philadelphia, in conjunction with Mr. Ross, formed an assemblage of powerful and splendid talents, which might have coped with an equal number of any forum in America. The whole faculties of this bar

were soon put in requisition, by the prosecutions which were commenced against some of those accused of being adherents to the British cause. The popular excitement against them was high, and their defence appeared to many a service of danger; but the intrepidity of the bar did not allow them to shrink from the conflict, and Mr. Ross and Mr. Wilson especially, embarked all their talents, zeal, and professional reputation in the cause of those who were thus accused.

The last public employment in which Mr. Ross was engaged, was that of a judge of the court of admiralty for the state of Pennsylvania, to which he was appointed on the fourteenth of April, 1779; and while on the bench he was esteemed a learned and impartial judge, displaying sound legal knowledge and abilities, and great promptness in his decisions. He did not, however, long occupy the station he was so well calculated to fill, as he died suddenly in the month of July following, from a violent attack of the gout.

Of his character little remains to be said, beyond that which may be collected from the preceding pages; in his domestic habits he was kind, generous, and much beloved; in his professional career zealous and honourable; as a politician always active and patriotic; and he seems to have well deserved the praise which was bestowed on him by one who knew him, as "an honest man and upright judge."



RES. OF CÆSAR RODNEY
Poplar Grove near Dover Delaware

CÆSAR RODNEY.

CÆSAR RODNEY was born at Dover, in Delaware, about the year 1730. At his father's death he inherited all his lands, which had been entailed upon him as heir male, and succeeded also to that popularity which his family seem always to have enjoyed. In the year 1758, he was chosen high sheriff of the county of Kent, and on the expiration of his term of service therein, was immediately made a justice of the peace and a judge of all the lower courts. At what period exactly he took his seat in the provincial legislature, we have no means of ascertaining, as the journals of that body, previous to the year 1762, have not been preserved. Of the assembly, however, which met at Newcastle, on the twentieth October in that year, he was a member from the county of Kent, and as such took his seat therein.

It is probable, however, Mr. Rodney had been a member of the legislature before this period, for he at once entered with great activity into the prominent measures of the day. He was of a committee with his friend Mr. McKean, to draught and present to the governor an answer to his message at the opening of the assembly, and was appointed by the house to transact other business with that officer on their behalf. At the close of the session, he was authorized to have the great seal affixed to the several laws which had been passed, after which the legislature adjourned to the thirtieth of the following September.

In the mean time, however, before the period which was thus fixed for their regular meeting, the members of the assembly met together to consult upon an important subject which had arisen—the impending misfortunes of their country, occasioned by the stamp act, and other late measures of the British government. The members who were present being the full and only representative body of the freemen of the province, proceeded to appoint a committee to meet the delegates of the other provinces at New York, in a

general congress; and they chose on that honourable service, by a unanimous vote, Mr. Rodney, with Mr. M'Kean and the speaker of the assembly, Mr. Kollock. In their instructions, they directed them to join with the committees sent by the other provinces, in one united and loyal petition to his majesty, and remonstrance to the honourable house of commons of Great Britain, against the acts of parliament, and therein dutifully, yet most firmly to assert the colonies' rights of exclusion from parliamentary taxation, and pray that they might not, in any instance, be stripped of the ancient and most valuable privilege of a trial by their peers, and most humbly to implore relief.

When the assembly met, pursuant to a subsequent adjournment, on the twenty-sixth of May, 1766, Mr. Rodney and Mr. M'Kean appeared and took their seats, and on the following day reported to the house their proceedings, under the instructions they had received. These proceedings, it will be recollected, consisted of memorials, remonstrances, and petitions to the British government, relative to their late arbitrary measures. They received the unanimous thanks of the house for their faithful and judicious discharge of the trust reposed in them, and a liberal compensation therefor.

On the repeal of the stamp act, the joy throughout America was as is well known, universal. Addresses of thanks and congratulation were sent from all parts of the provinces, and all endeavoured to show the kind feelings with which they were animated towards the mother country. By the legislature of Delaware, Mr. Rodney was appointed, with his constant friend and colleague Mr. M'Kean, and Mr. Read, to frame an address to the king, expressive of these sentiments; and its tenor is in some respects remarkable, as showing the anxiety, even the tenacity, with which the colonies clung to the British nation.

During the years 1766, 1767, and 1768, Mr. Rodney continued a zealous and active member of the legislature, and we find him constantly engaged in various subjects of public interest. Among these, we should not omit to mention his efforts, at so early a period, against the increase of slavery. A bill had been brought in by a committee, for the further and better regulation of slaves within the government, and for imposing certain duties on all slaves brought into and sold in the same. When this bill was submitted to the house, an amendment was brought forward and warmly supported by Mr. Rodney, to introduce a new clause totally prohibiting the importation of slaves into the province; the amendment was indeed

lost, but the debate was productive of much benefit, and the majority by which the original bill passed was only two voices.

When the new aggressions of the British ministry overthrew the expectations of future safety, in which the colonies had indulged, Mr. Rodney had again assigned to him, with the same colleagues, the task of presenting the sentiments of the freemen of Delaware to their sovereign. In so doing, the assembly did not fail to renew their protestations of loyalty, but at the same time they freely expressed their regret at the new course of oppression which had been adopted. "The sense," they say, "of our deplorable condition will, we hope, plead with your majesty in our behalf, for the freedom we take, in dutifully remonstrating against the proceedings of a British parliament, confessedly the wisest and greatest assembly upon earth. But if our fellow subjects of Great Britain, who derive no authority from us, who cannot in our humble opinion represent us, and to whom we will not yield in loyalty and affection to your majesty, can, at their will and pleasure, of right give and grant away our property; if they enforce an implicit obedience to every order or act of theirs for that purpose, and deprive all, or any of the assemblies on this continent of the power of legislation, for differing with them in opinion in matters which intimately affect their rights and interests, and every thing that is dear and valuable to Englishmen, we cannot imagine a case more miserable; we cannot think that we shall have even the shadow of liberty left. We conceive it to be an inherent right in your majesty's subjects, derived to them from God and nature, handed down from their ancestors, and confirmed by your royal predecessors and the constitution, in person, or by their representatives, to give and grant to their sovereign, those things which their own labours and their own cares have acquired and saved, and in such proportions, and at such times, as the national honour and interest may require. Your majesty's faithful subjects of this government have enjoyed this inestimable privilege uninterrupted from its first existence, till of late. They have at all times cheerfully contributed, to the utmost of their abilities, for your majesty's service, as often as your royal requisitions were made known; and they cannot now, but with the greatest uneasiness and distress of mind, part with the power of demonstrating their loyalty and affection to their beloved king."

This address was immediately followed by a correspondence with the governor of Virginia, in which their views were set forth relative to the new aggressions of Great Britain, and a hasty intention

declared of co-operating with the other colonies, in such prudent measures as might have a tendency to conciliate the affections of the mother country, and restore their just rights and liberties, and for that end, they earnestly desired to keep up a correspondence with them.

About this period the health of Mr. Rodney was seriously affected, and he was obliged to leave his public duties to repair to Philadelphia for medical aid. He had been for some time afflicted with a cancer, which forming on his nose, ultimately spread over the whole of one side of his face, and was in the end the cause of his death. The letters of his family are very urgent, that he should cross over to England, for professional advice, if the physicians of Philadelphia proved unable to cure him. He seems indeed to have entertained some serious intentions of passing the Atlantic, but the temporary relief which he obtained, and the increasing interest of political events, deterred him from ever carrying them into effect.

When the assembly met in October, 1769, Mr. Rodney was chosen speaker, an office which he retained for several years. He was also subsequently elected chairman of the committee of correspondence and communication with the other colonies. In this situation he maintained a constant intercourse with leading men in different parts of the country; and by his influence at home, contributed to, and promoted that union of sentiment, which he perceived was becoming every day more and more necessary.

At length he was called on to make a more direct effort. On the twenty-ninth of June, he received a letter from his friend, George Read of New Castle, mentioning to him that a public meeting had been held there on the subject of British aggressions. This was succeeded, in a few days, by a letter from a committee of the same assembly, in which they requested him, as speaker of the legislature, to call together the representatives of the people, on the first of August following. To this Mr. Rodney immediately replied, and his answer, of which the original now lies before us, is expressive at once of his zeal in the cause, and his anxiety to keep up the strictest mutual good feeling among his fellow citizens. "I shall," he writes, "do every thing in my power to have a convention of the representatives, on the first day of August next, at New Castle."

Mr. Rodney succeeded in his endeavours; for on the first of August, 1774, a great number of delegates from all the three counties assembled at New Castle, and as soon as they had organized themselves, he was elected their chairman by an unanimous

vote. The convention then proceeded to read the letters which had passed between the several committees of correspondence, on the subject of a general congress, and finally adopted a resolution declaring their opinion, that such a measure was in accordance with the desires of their constituents, and serviceable to the general cause of America. They then nominated and appointed Cæsar Rodney, Thomas McKean, and George Read, or any two of them, deputies on the part and behalf of this government, at a general continental congress, proposed to be held in the city of Philadelphia, on the first Monday in September next, or at any other time and place that might be generally agreed on: then and there to consult and advise with the deputies from the other colonies, and to determine upon all such prudent and lawful measures, as might be judged most expedient for the colonies immediately and unitedly to adopt, in order to obtain relief for an oppressed people, and the redress of their general grievances.

In pursuance of this appointment, Mr. Rodney took his seat in congress, at Philadelphia, on the fifth of September, 1774, and on the following day was appointed a member of the grand committee who were instructed to state the rights of the colonies in general, the several instances in which those rights were violated or infringed, and the means most proper to be pursued for obtaining a restoration of them. On the meeting of the provincial assembly, in the month of March following, he and his colleagues laid before them a full statement of their appointment and all their proceedings; and the house immediately passed a vote, without a dissenting voice, approving entirely of their conduct. As a further testimony of their approbation, they proceeded on the following day to a choice of representatives for the succeeding congress; and the result was the same as in the preceding year, Mr. Rodney being returned with his former companions. While he was absent at Philadelphia, under this appointment, the office of brigadier-general of the province was also conferred upon him.

He remained in Philadelphia during the spring, but was obliged to keep up a constant and active intercourse with his own province. In the lower counties there were a great number of persons, disaffected to the congress, and being scattered through the country, it was more difficult to convince them of the impropriety of their acts, or to oppose them by open and decisive, but just measures. His military command, too, required his attention, and, during this period, his letters and messages on that subject are very numerous;

he is constantly urging, both on the legislature and on his subordinate officers, the necessity of augmenting their corps, supplying them thoroughly, and collecting them in proper places; it was in no small degree owing to this, that the Delaware line became so distinguished for the discipline, constancy, and good order which it signally displayed during the whole war. On these various subjects his correspondence was very extensive; though but few of his own letters or those he received have been preserved. Among those which do remain, are several from the brave and noble Colonel Haslet, an officer who was cut off early in his career; he fell while leading his troops to the charge, with uncommon gallantry, in the battle of Princeton. Mr. Rodney finding that much discontent existed, particularly in the county of Sussex, and anxious at so critical a period that congress should have, as much as possible, the general voice in favour of the decisive measures it was about to pursue, obtained leave of absence for a short time, and returned to Delaware to use his personal influence among the people. He went as far as Lewes, a town at the southern extremity of the state, and succeeded to a very great extent, in preparing and reconciling the people to a change of government, as well as in organizing the troops which had been raised.

During his absence, however, the important question of independence came up; and his colleague, Mr. M'Kean, well acquainted with his views, and anxious that the declaration should be carried by a unanimous vote of the states, looked for his return with great anxiety; as the day appointed, however, approached, Mr. Rodney, who was unacquainted exactly with it, did not make his appearance, and Mr. M'Kean sent a special messenger to convey the intelligence to him. The message no sooner reached him, than, laying aside all other engagements, he hastened to Philadelphia, where he arrived just in time to give his vote, and secure the unanimity of the daring measure. He transmitted an account of it to Dover on the same day; and his friend, Colonel Haslet, in acknowledging his letter on the sixth of July, thus refers to it. "I congratulate you, sir, on the important day which restores to every American his birth-right; a day which every freeman will record with gratitude, and the millions of posterity read with rapture." At the time Mr. Rodney's letter reached Dover, the election of officers of a new battalion was going on; the committee of safety, however, immediately met, and after receiving the intelligence, proceeded in a body to the court house, where (the election being stopped) the president read the declaration

of congress, and the resolution of the house of assembly for the appointment of a convention: each of which received the highest approbation of the people, in three huzzas. The committee then went in a body back to their room, where they sent for a picture of the king of Great Britain, and made the drummer of the infantry bear it before the president; they then marched two and two, followed by the light infantry in slow time, with music, round the square, then forming a circle about a fire prepared in the middle of the square for that purpose, the president, pronouncing the following words, committed it to the flames: "Compelled by strong necessity, thus we destroy even the shadow of that king who refused to reign over a free people." Three loud huzzas were given by the surrounding crowd; and the friends of liberty gained new courage, to support the cause in which they had embarked.

Notwithstanding Mr. Rodney's services, he was soon however destined to experience the mutability of popular feeling. In the autumn of this year, the people of Delaware determined to call a convention, for the purpose of framing a new constitution, and to elect delegates for the succeeding congress. There were, as we have observed, in the lower counties, a great number of persons who were decided friends of the royal government; and even still more who were not disposed, while they adhered to the new order of things, to push the war beyond the bounds of what they considered absolutely necessary and prudent. These persons uniting together, and adding to their ranks many of firmer whig principles, who were induced to join them from personal feeling or motives of ambition, contrived to obtain a majority in the convention; and one of their earliest acts was to remove from congress Mr. Rodney and Mr. M'Kean, two delegates who had, in every instance, shown themselves the uncompromising advocates of liberty.

Mr. Rodney, however, still remained a member of the council of safety, and of the committee of inspection. In these offices he continued diligently to employ himself; collecting from all quarters supplies for the army, and increasing by every means in his power its effective force. By the letters, however, which he received from head-quarters, he thought, especially since the death of Colonel Haslet at Princeton, that his presence there would give encouragement to the troops of the state, and induce them to bear more cheerfully the hardships to which they were exposed by their rapid movements and the inclemency of the season.

Mr. Rodney remained with the army for nearly two months, and

during a great part of the time entered into the most active and laborious services, which his station as brigadier-general required. Even after the period for which the troops under him had enlisted was expired, he offered to remain with the army, and perform the duties of a soldier, wherever the commander-in-chief might think he could be useful. Sensible of the patriotic spirit by which this offer was dictated, General Washington wrote him the following highly flattering letter, the original of which now lies before us, dated at Morris-Town, on the eighteenth February, 1777.

"Sir—Lord Stirling did me the favour of sending to me your letter of the eighth instant to him, mentioning your cheerfulness to continue in service, (though your brigade had returned home,) and waiting my determination on that head. The readiness with which you took the field at the period most critical to our affairs, the industry you used in bringing out the militia of the Delaware state, and the alertness observed by you in forwarding on the troops from Trenton, reflect the highest honour on your character, and place your attachment to the cause in the most distinguished point of view. They claim my sincerest thanks, and I am happy in this opportunity of giving them to you. Circumstanced as you are, I see no necessity in detaining you longer from your family and affairs, which no doubt demand your presence and attention. You have therefore my leave to return."

With this honourable testimony of his services, he returned to Delaware, and had scarcely reached home when he was appointed one of the judges of the supreme court, which had just been organized. The appointment however he declined, preferring, at any rate for the present, to retain his military situation, in which he thought he could render more service to the general cause. In so doing he met the views of congress, who, through the board of war, expressed the approbation they thought him entitled to receive, for his activity and zeal. In the state, too, those who had lately been, if not his enemies, yet certainly not kindly inclined towards him, felt the necessity of retaining his services, and calling on him, when in situations of embarrassment and difficulty. An insurrection against the government having arisen in Sussex county, they immediately sought his influence to quell it, and issued orders to him to repair thither with a body of men. This duty he cheerfully accepted. He succeeded in his object, and restored temporary harmony and good order.

But he was soon called on to exercise his military talents on a

larger scale. The British army having landed in the autumn of this year, on the shore of the Chesapeake, were pursuing their march rapidly to Philadelphia, and General Washington had fixed his headquarters in the northern part of the state of Delaware, for the purpose of opposing them. General Rodney hastened immediately to his aid, with all the troops he could collect in Kent, and endeavoured, though with but partial success, to increase his force by engaging the militia of Newcastle county. By the directions of the commander-in-chief, he placed himself south of the main army, so as to watch the enemy's movements, and if possible get between them and their shipping. During this period a correspondence was kept up between Mr. Rodney and General Washington, who were interested in each other, not merely from their being thus thrown together in the war, but from a long friendship founded on mutual esteem. Several of their letters have been preserved, but as they relate at this time chiefly to military details, to insert much of them would be out of character with the simple nature of this sketch. Some of them, however, throw a light on the personal difficulties with which the officers of the army had to struggle during the war, and may afford some interest by their insertion. Mr. Rodney thus writes to the general on the ninth of September. "I am here in a disagreeable situation, unable to render you and the states those services I both wished and expected. A few days ago I moved from hence to Middletown, in order to induce the militia in this quarter, who had shown great backwardness, to turn out; especially as by that move most of their farms and property were covered. However, all this has answered no purpose; for though I believe most of their officers have been vigilant, but very few have come in at all, and those few who made their appearance in the morning, took the liberty of returning, contrary to orders, in the evening; thus increasing the duty of, and setting so bad an example to, the troops from Kent, about four hundred in number, and the only troops I had with me, brought about so general discontent and uneasiness, especially as they were more immediately defending the property of those people, as caused them in great numbers to leave me, though I must say the officers did all they could to prevent it. Two battalions have never even assigned me a reason why they have not joined me. Under these circumstances I removed to Noxontown, where the camp duty on the few I have with me is less severe, until the other troops mentioned shall be ready to move forward, and have written this day to Colonel Gist on that head. Yesterday evening I sent a party of my light

horse to take a view of the enemy, and gain intelligence. The officer with his men returned this morning, and reports, that he was in Atkinson's tavern-house, passed some miles through the late encampment of the enemy round about that place, and saw, and was among the fires they had left burning; that the extreme part of their right wing was at Cook's Mill, their left towards Newark. This intelligence makes me the more anxious to collect and move forward such a body, as would be able to render you signal service, by falling upon and harassing their right wing or rear. Be assured all I can do shall be done; but he that can deal with militia, may almost venture to deal with the ——. As soon as I can set forward I shall advise you. God send you a complete victory." In his reply to this letter, General Washington thus remarks: "The conduct of the militia is much to be regretted. In many instances they are not to be roused, and in others they come into the field with all possible indifference, and to all appearance entirely unimpressed with the importance of the cause in which we are engaged. Hence proceeds a total inattention to order and discipline, and too often a disgraceful departure from the army, at the instant their aid is most wanted. I am inclined to think, the complaints and objections offered to the militia laws are but too well founded. The interest of the community has not been well consulted in their formation, and generally speaking, those I have seen are unequal.

"I wish I could inform you that our affairs were in a happier train than they now are. After various manœuvres, and extending his army high up the Schuylkill, as if he meant to turn our right flank, General Howe made a sudden countermarch on Monday night, and in the course of it, and yesterday morning, crossed the river, which is fordable in almost every part, several miles below us; he will possess himself of Philadelphia, in all probability, but I trust he will not be able to hold it. No exertions on my part shall be wanting to dispossess him."

On the seventeenth of December, Mr. Rodney was again called on to take his seat in congress, as a delegate from Delaware, but he determined not to repair to Yorktown until the following spring. The state of political affairs had greatly changed in Delaware, but still there were many men of influence who did not unite with as much energy as they should have done, in supporting the plans of the general government; Mr. Rodney therefore determined to remain until the legislature had closed its session.

Mr. Rodney, however, was not destined to appear again in con

gress : for a few days after the preceding letter was written he was elected president of the state of Delaware. The office, though honourable, was exceedingly arduous, and during the whole of this year he was constantly harassed with difficulties of various kinds. The legislature of the state, though well disposed, were tardy in their movements where every thing demanded energy and promptness ; the disaffected inhabitants of the state were constantly exciting petty insurrections : the British, or loyalists in league with them, made frequent descents all along the extensive shore of the state, and troops could not be collected in time to repel them. These and various other circumstances rendered the situation of Mr. Rodney one of great difficulty and embarrassment.

Mr. Rodney retained his office of president of the state of Delaware for about four years ; and during that time his chief attention was called to the affairs of the confederation. As the war increased and the resources of the country diminished, the demands on the separate states became more frequent, and were urged with all the zeal which the dreadful necessities of the time required. At this period we can scarcely believe the state of distress, and almost desperation, to which the continental army was reduced ; but as it cannot be uninteresting to their descendants, to know what were the sufferings of their ancestors in the cause of freedom, we shall introduce an extract from two letters of General Washington to Mr. Rodney, in the winter of 1779. "The situation of the army," he says, "with respect to supplies, is beyond description alarming. It has been five or six weeks past on half allowance, and we have not more than three days' bread, at a third allowance, on hand, nor any where within reach. When this is exhausted, we must depend on the precarious gleanings of the neighbouring country. Our magazines are absolutely empty every where, and our commissaries entirely destitute of money or credit to replenish them. We have never experienced a like extremity at any period of the war. We have often felt temporary want from accidental delay in forwarding supplies, but we always had something in our magazines, and the means of procuring more. Neither one nor the other is at present the case. This representation is the result of a minute examination of our resources. Unless some extraordinary and immediate exertions be made, by the states from which we draw our supplies, there is every appearance that the army will infallibly disband in a fortnight. I think it my duty to lay this candid view of our situation before your excellency, and to entreat the vigorous interposition of

the state to rescue us from the danger of an event, which if it did not prove the total ruin of our affairs, would at least give them a shock they would not easily recover, and plunge us into a train of new and still more perplexing embarrassments, than any we have hitherto felt."

In the following spring General Washington wrote another letter to Mr. Rodney, of a tenor equally painful. "I am under the disagreeable necessity of informing you," he says, "that the army is again reduced to an extremity of distress, for want of provision. The greater part of it has been without meat from the twenty-first to the twenty-sixth. To endeavour to obtain some relief, I moved down to this place with a view of stripping the lower part of the country of the remainder of its cattle, which after a most rigorous exaction, is found to afford between two and three days' supply only, and those consisting of milch cows, and calves of one or two years old. When this scanty pittance is consumed, I know not what will be our next resource, as the commissary can give me no certain information of more than one hundred and twenty head of cattle expected from Pennsylvania, and about one hundred and fifty from Massachusetts. I mean in time to supply our immediate wants. Military coercion is no longer of any avail, as nothing further can possibly be collected from the country in which we are obliged to take a position, without depriving the inhabitants of the last morsel. This mode of subsisting, supposing the desired end could be answered by it, besides being in the highest degree distressing to individuals, is attended with ruin to the morals and discipline of the army. During the few days which we have been obliged to send out small parties to procure provision for themselves, the most enormous excesses have been committed.

"It has been no inconsiderable support of our cause, to have had it in our power to contrast the conduct of our army with that of the enemy, and to convince the inhabitants that while their rights were wantonly violated by the British troops, by ours they were respected. This distinction must unhappily now cease, and we must assume the odious character of the plunderers, instead of the protectors of the people; the direct consequence of which must be, to alienate their minds from the army, and insensibly from the cause. We have not, indeed, yet been absolutely without flour, but we have *this* day but *one* day's supply in camp, and I am not certain that there is a single barrel between this place and Trenton. I shall be obliged, therefore, to draw down one or two hundred barrels from

a small magazine which I had endeavoured to establish at West Point, for the security of the garrison in case of a sudden investiture.

"From the above state of facts it may be foreseen, that this army cannot possibly remain much longer together, unless very vigorous and immediate measures are taken by the states to comply with the requisitions made upon them. The commissary-general has neither the means nor the power of procuring supplies; he is only to receive them from the several agents. Without a speedy change of circumstances, this dilemma will be involved: either the army must disband, or what is, if possible, worse, subsist upon the plunder of the people. I would fain flatter myself that a knowledge of our situation will produce the desired relief; not a relief of a few days, as has generally heretofore been the case, but a supply equal to the establishment of magazines for the winter. If these are not formed before the roads are broken up by the weather, we shall certainly experience the same difficulties and distresses the ensuing winter, which we did the last. Although the troops have, upon every occasion hitherto, borne their wants with unparalleled patience, it will be dangerous to trust too often to a repetition of the causes of discontent."

It may well be supposed that Mr. Rodney did not receive these letters without feelings of the deepest distress. Having for years taken so active a part in all the struggles for independence, whatever various forms they had assumed, how could he look calmly on, and see that independence endangered, at the very moment when it seemed secure? Having served as a soldier himself in the armies of the revolution, how could he bear that those who had been the partners of his toils, should now be sinking, neglected and forsaken, without a friendly hand being extended to relieve them? He therefore adopted every expedient he could devise, to increase and assist the army. He brought the subject repeatedly before the legislature; urged the persons intrusted with the levying and transmission of supplies; kept up a constant correspondence; and succeeded in affording immense benefit.

Such was the zealous and honourable course pursued by Mr. Rodney, as long as he held the office of president of the state of Delaware. By his firm and liberal conduct he secured the universal esteem of every portion of the people; and by the decided tone of his measures he increased the strength and augmented the resources of the general government. At length, however, fatigued with the arduousness of his duties, he determined to retire from office, and

in the year 1782, declined a re-election. His constituents, however, would not permit him to retire from public life, for he was immediately chosen a delegate to congress, as he also was in the succeeding year.

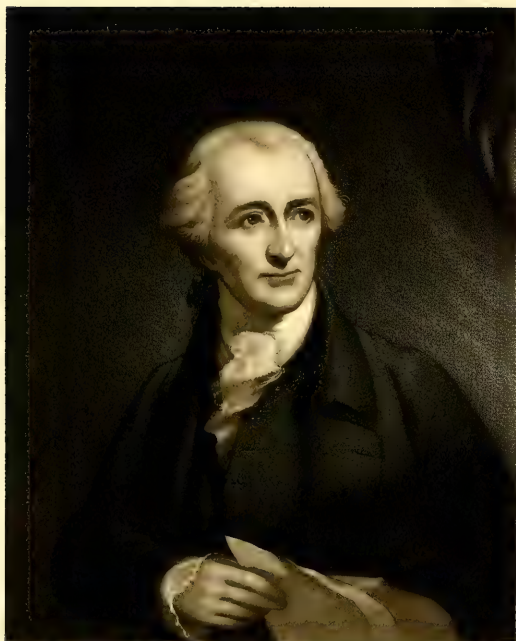
It does not appear that Mr. Rodney ever took his seat by virtue of these elections. Though not very far advanced in years, his health had become exceedingly infirm. He had been afflicted from his youth with a cancer, which, as we have mentioned, gradually spread over one side of his face, until it was so disfigured as to oblige him to wear a green silk screen over it; and he did so for many years before his death. The exact period of that melancholy event, we have no means of accurately ascertaining; it would appear, however, to have been in the early part of the year 1783, and was certainly occasioned by the complaint of which we have spoken.

Of the personal character of Mr. Rodney, we have few opportunities of obtaining information, beyond the materials which have formed the subject of this notice. As a politician, he displayed at all times great integrity and high-mindedness, never yielding his deliberate opinions to the prevailing sentiments of the day, and sacrificing his present interest to his sense of honour and justice. This course, in a few instances, was for a time injurious to his political aims, but it eventually gained for him, what an honourable course always gains for a statesman in the end, the unbounded confidence and esteem of his countrymen. Though he was, as the tenor of his life has shown, a firm whig in all his principles and conduct, warmly devoted to the liberties of the states, and opposing alike the open warfare and secret attacks of their enemies, he blended with all his actions the feelings of an amiable man. The number of loyalists or refugees was, as we have observed, very numerous in that part of the state where he resided, and the friends of freedom were kept constantly on the alert, to oppose and overthrow secret insurrections which were springing up, every day and in every direction. As is always the case in this species of unnatural warfare, the feelings of the contending parties assumed a personal ferociousness of character, which is not often seen in the conflicts of general enemies. The ties of vicinage, often of consanguinity, increased rather than allayed the bitterness of their hatred; and the successful party triumphed over the conquered foe, with more than the satisfaction of ordinary war. To appease these feelings, and to obviate their consequences, was the continued and often the successful effort of Mr. Rodney. The advantages of his popularity, his

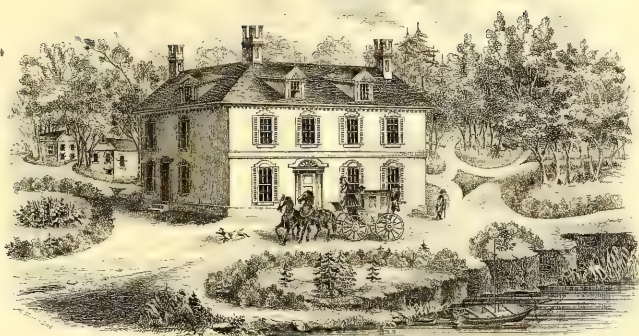
well-known patriotism, and his public station, gave him an influence which he never failed to exert in so generous a cause.

The private character of Mr. Rodney is chiefly remarkable for its good-humour and vivacity. He was fond of society, and not averse to the pleasures of the table, never exceeding, however, the boundaries of propriety and good manners. He was particularly fond of associating with persons younger than himself, to whom his easy manners, long knowledge of the world, and fund of wit and anecdote, afforded a never-failing pleasure. From constitutional feelings, he always avoided scenes of sorrow; and never approached the death-bed, even of his most intimate friends. The vivacity of his domestic manners was carried into his public life, and those whose memory is stored with reminiscences of the old congress and the revolutionary war, have many a tale, to illustrate the gaiety and humour of Cæsar Rodney. Among others, the following one may be recorded, from an authentic source. The delegates from the southern states, but especially from Virginia, were remarkable, during the early periods of the revolution, for indulging a sectional prepossession, not indeed maliciously, but often sarcastically. When it broke out in high-wrought eulogies and preferences to Virginia, over all the other members of the confederacy, it was termed *dominionism*. Among the representatives of that ancient and really noble state, there was no one who more delighted or oftener indulged in this complacent but somewhat mortifying species of gratulation, than Mr. Harrison; he was, however, completely cured of it by an incident which occurred, when his state was threatened with an invasion by the enemy. He had frequently displayed the "abundant and powerful resources of that meritorious member of our Union;" and although he had painted them in colours brighter than was correct, he no doubt believed them to be just. When, however, the danger was approaching, the picture was found too glaring. He introduced a demand for supplies of arms, munitions of war of every species, troops, and assistance of every kind; and declared the state destitute in every point and circumstance. When he sat down there was a momentary silence, all being surprised that such a development should come from him. Mr. Rodney rose from his seat, in a style peculiar to him. He was, at that time, an animated skeleton; decorated with a bandage, from which was suspended the green silk covering over one eye, to hide the ravages of his cancer—he was indeed all spirit, without corporeal tegument. He was thin, emaciated, and every way the antithesis of his friend Harrison; who

was portly, inclining to corpulency, and of a mien commanding, though without *fierté*. Both of the members were really representatives of their respective states. Rodney, who was endowed, as have mentioned, with a natural and highly amusing vein of humour, began, with a crocodile sympathy, to deplore the melancholy and prostrate condition of his neighbouring, extensive, and heretofore "powerful" state of Virginia! "But," said he, in a voice elevated an octave higher than concert pitch; "let her be of good cheer; she has a friend in need; DELAWARE will take her under its protection, and insure her safety." Harrison was astounded; but joined (for he relished a good hit, for or against him) in the laugh, and the subject lay over to another day.



George Keane



MANSION OF THE HONOURABLE GEORGE READ.
New Castle Delaware.

GEORGE READ.

BY GEN. JOHN MEREDITH READ, JR.

GEORGE READ was one of the six signers of the Declaration of Independence who were also framers and signers of the Constitution of the United States.¹

He was descended from an ancient family, which had long flourished both in England and Ireland. His grandfather was a gentleman of fortune residing in the city of Dublin, where his father, John Read, Esquire, was born in the last year of the reign of King James the Second, A. D. 1688. Possessing a self-reliant character and an adventurous spirit, John Read, although sincerely religious, was induced to visit the New World when quite young, in the face of much parental opposition. Having purchased lands from his fellow-countryman, Lord Baltimore, he married Miss Mary Howell, an aunt of the late Governor Howell,² of New Jersey, and established himself on a large plantation in Cecil county, in the province of Maryland. Here his eldest son, George Read, the signer, was born on the 18th September,

¹ These six were George Clymer, Benjamin Franklin, Robert Morris, George Read, Roger Sherman, and James Wilson.

Abraham Clark and George Walton were appointed delegates to the Convention which framed the Constitution, but they did not attend. Elbridge Gerry and George Wythe attended, but did not sign the Constitution.

² His Excellency Richard Howell was born in Delaware in 1755, and commanded a New Jersey regiment during the Revolution. After the war he was chosen governor of the latter state, and was eight successive times elected to that office. He was the author of the ode sung by the ladies at the reception of General Washington at Trenton in 1789. An account of the ceremonies attending his reception of Washington in the following year is given in *Custis's Recollections*.

1783. Shortly after this event Mr. Read removed to an estate which he owned in Newcastle county, in the province of Delaware, still retaining, however, his original property in Maryland, where he occasionally resided. It was in this hospitable mansion, which has long since disappeared, that Col. Washington was entertained in the spring of 1755, the year previous to Mr. Read's death. It is worthy of mention in this connection, that nearly half a century later Mr. Read's grandson, John Read, Jr.,¹ married Miss Martha Meredith, whose

¹ John Read, son of George Read, the signer, was born at the family mansion at New Castle, in Delaware, on the 7th July, 1769. He entered the Junior Class in Princeton College in the year 1785, and graduated in 1787, under the Presidency of his father's intimate friend, Dr. Witherspoon. Mr. Read studied law with his father, and after his admission to the bar removed to the city of Philadelphia, where he practised with ability and success for many years. In 1797 he was appointed Agent-General of the United States to carry into effect the sixth article of Jay's treaty. He was for several years a member of the City Councils. In 1815 he was elected to the Legislature of Pennsylvania, and was Chairman of the Committee on Roads and Inland Navigation, composed at that day of thirty-four members. In 1816 he was re-elected. Shortly afterwards he was elected to the senate to succeed Nicholas Biddle. In 1819 he accepted the Presidency of the Philadelphia Bank. He resigned in 1841, and died on the 13th July, 1854, aged eighty-five. Mr. Read married, in 1796, Martha Meredith, eldest daughter of Samuel Meredith, who was a member of the Continental Congress, and the first Treasurer of the United States. His father, Reese Meredith, son of Reese Meredith, Esq., of Landoglen, in the county of Radnor, was born in Wales in 1705, removed to Philadelphia in 1727, and married the granddaughter of Samuel Carpenter, who was the partner of William Penn, and one of the executors of his will. Mrs. Read's mother was the daughter of Dr. Thomas Cadwalader, and sister of General John Cadwalader and Colonel Lambert Cadwalader. Her brother-in-law, General Philemon Dickinson, of Trenton, commanded at the Millstone, and also the Jersey militia at the battle of Monmouth, and her cousin, John Dickinson, was the author of the celebrated "Farmers' Letters." George Clymer, the signer, was Mrs. Read's uncle by marriage. John Read left one son, John M. Read, of Philadelphia, who was born in that city July 21st, 1797, graduated at the University of Pennsylvania at the early age of fifteen, and was admitted to the bar in 1818. In 1823 he was elected a member of the House of Representatives of Pennsylvania. He was re-elected in 1824. Soon after he was appointed City Solicitor. Having been elected a member of the City Select Council, "he presented, in a forcible and luminous speech, the

grandfather, Reese Meredith, was the first private gentleman of whose hospitalities Washington partook in the city of Philadelphia.

George Read gave early indications of a vigorous intellect, and was sent to a seminary at Chester, in the province of Pennsylvania, where he was thoroughly grounded in the rudiments of the learned languages. From this school he was removed to New London, in the same province, and was placed under the care of that celebrated teacher, the Reverend Doctor Francis Alison, a graduate of the University of Glasgow, and reputed to be the best classical scholar in America.

first connected view ever given to the public of the operations of the financial department of the city government." He also prepared an Address to the people of Pennsylvania on the subject of the Amendment of the Constitution, which was adopted at a town meeting held in Philadelphia, and having been circulated throughout the state, furnished the basis of the scheme of reform, which was afterwards ratified by the people. Soon after the election of Mr. Van Buren, Mr. Read was appointed United States District Attorney for the Eastern District of Pennsylvania, and held the office till the 3d March, 1841. While District Attorney, he was appointed by the Secretary of War, Judge Advocate of the Court of Enquiry upon Commodore Elliott. In 1845, he was nominated to the Senate as a Judge of the Supreme Court of the United States. In 1846, Mr. Read was appointed Attorney-General of Pennsylvania, but resigned the following year. In 1851 he was engaged in the celebrated trial of The United States *vs.* Hanway, for treason. "His speech was never fully reported. If it had been, says a competent authority, it would have settled the law of treason in the United States for the present century." In 1858 he was elected Judge of the Supreme Court of Pennsylvania. An extended biography of Judge Read may be found in Savage's "Representative Men," containing "memoirs of those who were prominently suggested for the Presidency of the United States in 1860."

William Read, brother of John Read, was born in Delaware, Oct. 10, 1767, and was Consul for Italy and Sicily, resident in Philadelphia. He married, 22d Sept., 1796, Ann McCall, daughter of Archibald McCall and his wife Judith Kemble, of Mt. Kemble, N. J. His son, George Read, for many years Consul at Malaga, resides in Philadelphia, and is unmarried.

Wm. T. Read, of New Castle, Delaware, is the son of the Hon. George Read, 2d. Like his distinguished father, he is a gentleman of cultivated tastes, and scholarly habits. He has served in both branches of the Delaware Legislature, was early in life Secretary of Legation to Caesar A. Rodney, and is now Vice-President of the Delaware Historical Society.

Among the fellow pupils of Mr. Read were Charles Thompson, the first Secretary of Congress, Hugh Williamson, a member of that body from North Carolina, and Doctor Ewing, Provost of the University of Pennsylvania, eminent as a mathematician and astronomer.

At the close of his seventeenth year, having completed with great credit the course of studies under Dr. Alison, Mr. Read, with his intimate friend and connection, John Dickinson, author of the "Farmer's Letters," commenced the study of the law in the office of John Moland, Esq., a distinguished lawyer in the city of Philadelphia. It required more intense application at that period than at present to qualify a young man for admission at the bar, and Mr. Read addressed himself with ardor to the study of his profession. The student was not then assisted by digests, abridgments, and excellent elementary treatises on every ramification of the law. The excessive toil which, at that day, was requisite for the attainment of legal knowledge, was well calculated to form habits on which were founded the most certain presages of eminence at the bar, and erudition on the bench. Hence Mr. Read was conspicuous in after life for research and accuracy; and the margins of almost every book in the extensive library which he possessed are covered with his notes. The confidence reposed by Mr. Moland in the abilities of his young student was so great, that long before the term of his studies had expired, he intrusted to him his docket, and confided to him all his attorney's business. Indeed, the talents, industry, and zeal of Mr. Read, while in the office of Mr. Moland, generated an attachment towards his pupil stronger and more permanent than the relation of lawyer and student usually produces.¹

In the year 1753 Mr. Read was admitted to the bar, at the early age of nineteen years. By the then existing laws of Maryland, and the three lower counties on Delaware, he was, as eldest son, entitled to two shares of his father's property. His first act, after his admission to the bar, was to relinquish by deed all claim upon his father's estate, generously assigning as the reason for this relinquishment, that he had received his full portion in the expenses incurred by his edu-

¹ Mr. Moland's daughter married an English nobleman. Several of her letters, still in existence, reveal the high regard in which Mr. Read was held both by herself and her family. On a map of Philadelphia by N. Scull and G. Heap, published in 1750, Mr. Moland's country-seat is shown five miles distant from the State House, on the old "Frankfurt" Road.

cation, and that it would be a fraud upon his brothers not to renounce his legal right.

In the year 1754, he settled in Newcastle, and commenced the practice of the law, in the then three lower counties on Delaware, and the adjacent ones of Maryland. He found himself in the midst of powerful competitors—men of great talents, and consummate lawyers—among whom were John Ross, then attorney-general, Benjamin Chew, George Ross, John Dickinson, and Thomas M'Kean. To have rapidly obtained full practice among such competitors is, of itself, sufficient praise. On the 30th of April, 1763, he succeeded John Ross as attorney-general for the three lower counties on Delaware. He was the first attorney-general expressly appointed for these counties; as, before this period, the attorney-general of Pennsylvania was the prosecuting officer in Delaware. Mr. Read held this office until he was elected a delegate to the congress of 1775; he then resigned it, declaring that he would not enter upon the duties of a representative in that august body, trammelled with an office held from His Britannic Majesty.

Mr. Read's wide reputation as a lawyer of great abilities and research, led to his being retained as counsel quite frequently by the representatives of government in the other colonies; while his unswerving integrity, his profound legal knowledge, his solidity of judgment, and his habits of close and clear reasoning, gave him an unrivalled influence with juries and judges.

His attainments outside of his profession were varied and extensive. His refined and cultivated tastes were evinced by his intimate acquaintance with artistic and scientific subjects, as well as by the thorough knowledge which he possessed of classical and miscellaneous literature.

On the 11th of January, 1763, Mr. Read married a daughter of the Rev. George Ross,¹ who had been, during fifty years, rector of Emmanuel Church, in the town of Newcastle. It was one of his favorite maxims, that men ambitious of arriving at the acme of their profes-

¹ John Ross, attorney-general of Pennsylvania, George Ross, the signer, and the Rev. Æneas Ross, were Mrs. Read's brothers. One of her sisters married Edward Biddle, who was Speaker of the Pennsylvania legislative body in 1774, and a member of congress in the following year; another sister married General William Thompson, the distinguished revolutionary officer.

sions, should never marry; but his good sense taught him that the sacrifice of domestic enjoyment would be inadequately compensated by the highest honors. The understanding of Mrs. Read, naturally strong, was carefully cultivated by her father, who bestowed more attention upon her instruction than it was the common lot of females, at that period, to receive. Her person was beautiful, her manners elegant, and her piety exemplary. During the revolutionary struggle, her trials were many and severe. The enemy, constantly on the maritime border of Delaware, kept the state in perpetual alarm by predatory incursions: the British army, at different periods, occupied parts of her territory, or marched through it. Frequent change of habitation was not one of the least evils which accompanied the war of the revolution. Mrs. Read was almost always separated from her husband, who was unremittingly engaged in the public service. She was often compelled to fly from her abode, at a moment's warning, with a large and infant family. But she never was dejected; instead of increasing the heavy burden of a statesman's care by her complaints, she animated his fortitude by her firmness.

The domestic enjoyments of Mr. Read were soon interrupted by the contest which, in 1765, commenced between Great Britain and the colonies. As Mr. Read held an office under the British government, and possessed great and acknowledged influence, his adherence to the English ministers would, no doubt, have insured him a share in the preferments and pecuniary rewards lavishly bestowed upon those who supported the schemes of oppression which they had planned; but his patriotism and integrity induced him to take a decided part with those who opposed the aggressions of parliament, as soon as the disputes between the colonies and the mother country commenced. It was not vanity, but a proper estimate of his own abilities, and the knowledge that they were duly appreciated by his fellow-citizens, which assured him that he would be called upon to act an important part in the momentous drama, as soon as his sentiments became known. He well knew that the post of leader, whether civil or military, was at once the post of danger and the place of honor. Success was problematical, and he could not doubt that the British ministers, embittered by opposition, and flushed by victory, would single out as victims, those who had been most active and influential in opposing their designs. Clemency was little to be expected where vengeance could be exercised under the guise of policy. But neither interest nor fear

could divert him from taking the course which he believed to be right, and once taken, "inflexible in faith," he never swerved from it.

In October, 1765, he took his seat in the general assembly of Delaware, as one of the representatives from Newcastle county, which station he continued to occupy during the twelve ensuing years. Mr. Read was one of the committees which reported the numerous addresses made to George the Third by the Delaware legislature, on behalf of their constituents, and which merit the encomiums so deservedly bestowed upon our revolutionary state papers. He was also active and prominent in urging the non-importation agreement; and, as chairman of the general committee for its enforcement, rendered valuable services to the cause.

At a meeting of the inhabitants of Newcastle county, on the twenty-ninth of June, 1774, Mr. Read was appointed, with twelve other persons, to conduct a subscription for the relief of the poor inhabitants of Boston, who were deprived of the usual means of subsistence by the act of parliament commonly called the Boston port bill. The people eagerly adopted this mode of manifesting their abhorrence of a cruel and ineffectual act of despotism, and their sympathy with those whom it reduced to want. In February, 1775, Mr. Read remitted nine hundred dollars to the Boston committee, being the amount of subscriptions in Newcastle county.

On the first of August, 1774, Mr. Read was elected by the general assembly of Delaware, together with Cæsar Rodney, and Thomas M'Kean, to represent that state in the American congress, which met in the month of September in Philadelphia. Mr. Read represented the state of Delaware in congress during the whole revolutionary war, with the exception of a short interval, when by virtue of his office of vice-president, he acted as her chief magistrate, in consequence of the capture of President M'Kinley immediately after the battle of Brandywine.

In the year 1775, the decisive appeal to arms was made. While Mr. Read, in conjunction with the sages of congress, was giving tone and direction to the ardour of our armies, three of his family were asserting the liberty of their country in the field; 'Commodore Thomas

¹ Com. Thomas Read, a brother of George Read, was born on the family estate in Delaware in the year 1740. On the 10th October, 1776, he stood eighth on the Continental Navy List, and was assigned to the command of the "George Wash-

Read, of the continental navy, Colonel Read,¹ a brave and experienced officer, and Colonel, afterwards General Thompson, who had married the sister of Mrs. Read.

The momentous subject of independence, which occupied the attention of congress early in 1776, did not prevent Mr. Read from taking an active part in the affairs of his state. Whenever it was practicable to leave, with propriety, his post in congress, he repaired to Delaware, not to enjoy in the bosom of his family the repose he so much needed, and a respite from his patriotic toils, but to employ his talents and his influence wherever they could prove most serviceable to the state. The American senator did not disdain the duties of a member of the committee of safety, and, in the year 1775, he shouldered his musket in the ranks of the militia, refusing the highest commission, which he was urged to accept.

In the month of May, 1776, Mr. Read was among the multitude of his fellow-citizens who witnessed the attack made by the row-galleys upon the Roebuck and Liverpool frigates, off the mouth of Christiana creek. In the heat of the engagement, the attention of many among the innumerable spectators who lined the shores of the Delaware, was diverted from the novel spectacle of a naval combat, by a militia major, who rode at full speed among them, threw himself from his horse, which he let loose among the crowd, and entreated to be put on board of one of the galleys. With much difficulty, he persuaded two men to put off in a boat with him. He steered directly for the

ington," 32 gun frigate, one of the six largest vessels in the service. In the early part of the revolutionary war, when by reason of the ice he was unable to get to sea, he served with the army in New Jersey on shore. He was present at the battle of Trenton, and commanded the guns which raked the stone bridge across the Assanpink. After the war he commanded the frigate "Alliance," and in 1787, with her, he effected, for the first time, the out-of-season passage to China. Com. Read resided at Whitehill, near Bordentown, N. J., and his mansion was for many years the seat of much elegant hospitality. Com. Read was a member of the Society of the Cincinnati. He died in 1789, leaving no descendants. His portrait represents him as a handsome man, with a refined expression.

¹ Col. James Read, also a brother of George Read, was born in 1743. He served with great credit at the battles of Trenton, Princeton, Brandywine, and Germantown. He was with Gen. Washington when he crossed the Delaware on Christmas night, 1776. He was for many years a member of the Supreme Executive Council of Pennsylvania.

galley nearest the enemy, and, as soon as he reached her deck, stationed himself at a gun. The cartridges failed: cartridge paper was called for to make a supply, but it was all expended: the gallant major instantly pulled off his boots, cut off their feet, filled them with powder, and rammed them into his gun. When he returned home, he boasted that he had not only been in the engagement, but had *fired his boots at the enemy*.

When the Virginia motion of June the 7th, 1776, to declare independence, was in debate in the committee of the whole, Mr. Read was not in favor of the immediate passage of the resolution. This arose from no dislike to the measure itself, but had its origin in his sincere belief that it was at that particular moment premature. When, however, the resolution had received the sanction of congress, he firmly and zealously supported the Declaration of Independence, and heartily joined the other delegates in signing that immortal document. Having pledged his life, his fortune, and his sacred honor in support of its principles, George Read never swerved a hair's breadth from the path of duty, nor faltered for an instant in his devotion to the liberties of his country.

Soon after the Declaration of Independence, Joseph Galloway observed to Mr. Read that he had signed it with a halter about his neck; Mr. Read replied that it was a measure demanded by the crisis, and he was prepared to meet any consequences which might ensue.

In September, 1776, he was president of the convention which formed the first constitution of Delaware. In the autumn of 1777, he was compelled to assume the arduous and responsible duties of chief magistrate of the state, in consequence of the capture of President M'Kinley by a detachment of British troops, immediately after the battle of Brandywine. The first presidency of the State had been offered for his acceptance, but he declined the honor.

At the time of Mr. M'Kinley's capture, Mr. Read was at Philadelphia, assisting in the deliberations of Congress. He left that city as the British army entered it, and while returning to Delaware for the purpose of assuming the presidency, thus forced upon him, he narrowly escaped the misfortune which had befallen President M'Kinley. It was impracticable to pass from Philadelphia to Delaware on the western side of the river, as the British occupied the whole pass into the peninsula. Necessity, therefore, compelled him

to proceed along the Jersey shore of the river, and brave the risk of crossing it, although almost covered with the ships of the enemy. On the thirteenth of October, 1777, Mr. Read arrived at Salem, in New Jersey, and procured a boat to convey himself and family across the Delaware, there about five miles wide. At this time, there were several British men of war lying at anchor off Newcastle. When the boat had almost attained the Delaware shore, she was descried by the enemy, who immediately despatched an armed barge in pursuit of her. The tide being, unfortunately, low, the boat grounded so far from the beach that it was impossible for Mr. Read to land with his family before their pursuers arrived. There was only time to efface every mark on the baggage which could excite any suspicion that Mr. Read was not, as he represented himself, a country gentleman, returning to his home. The officer who commanded the boat was of no higher rank than that of boatswain; and the presence of Mr. Read's mother, wife, and infant children, gave sufficient probability to his story to deceive sailors, who like all thoughtless persons, are little prone to suspect deception. The honest-hearted fellows assisted with great good humour in landing the baggage, and carrying the ladies and children on shore.

The nice balance of political power which our constitution has so admirably adjusted between the general and state governments, was not, in the day of revolution, regarded: hence Mr. Read was, at that time, a delegate in congress, as well as vice president of the state of Delaware.

The duty which the subject of our memoir was now called upon to perform, was most arduous. The situation of affairs, in general, was gloomy. These were, indeed, in the classic language of the revolution, the times that tried men's souls: the battle of Brandywine had been lost; the British had entered Philadelphia; the battle of Germantown followed; the fathers of our country were at York; and our brave countrymen in arms, naked and houseless, were exposed to the storms of winter at the Valley Forge. No consolation could be derived by Mr. Read, from a view of the state of things in his more peculiar department: Sussex county was but slowly recovering from the intestine war which foreign emissaries had kindled among her deluded inhabitants, and obstinate men of opposite opinions as to the expediency of laws, chose to obey such only as they thought proper. Yet, under these discouraging circumstances, the firmness of Mr. Read remained unshaken, and he

employed every means which his abilities and influence afforded, to conciliate or destroy the discordant opinions that threatened to become so inimical to the welfare of the state.

On the third of February, 1779, Mr. McKean laid before congress sundry resolutions adopted by the council of Delaware in the preceding month of January, relative to the articles of confederation and perpetual union, and concurred in by the house of assembly, previously to the passage of a law empowering their delegates to sign and ratify them. Mr. Read, one of the committee appointed to take these articles into consideration, prepared the resolutions: their insertion at this time, therefore, will not only afford an example of the political style of Mr. Read, but the able opinion of a sound lawyer upon a matter of deep interest.

“The committee, to whom were referred the articles of confederation proposed by congress for a union of the states of America, do report thereon as follows:

“That having duly considered the said articles, they *generally* approve of the same, but that there are particular parts of the eighth and ninth articles liable to just and strong objections; and, should they continue unaltered, will, in the opinion of your committee, prove prejudicial in their effects not only to this state, but to the general confederacy.

“That part of the eighth article objected to, and disapproved of, by your committee, is the manner prescribed for the supply of a common treasury by the several states;—to wit: “in proportion to the value of land within each state GRANTED TO OR SURVEYED for any person, as such land, and the buildings and improvements thereon, shall be estimated, according to such mode as the United States, in congress assembled shall from time to time direct and appoint.” Such valuation, in any mode that we can suppose to produce equality, appears to your committee an impracticable thing; but if not, it will be attended with so great expense of money and time, and that to be frequently repeated from the sudden alterations in the value of such property, that your committee think the establishing the proportion of each state by the number of its inhabitants, of every age, sex, and quality, would prove a more equal and less expensive mode of ascertaining such proportion.

“Your committee also consider the confining such valuation to the *granted or surveyed* lands as inequitable, as they conceive the lands not yet granted have a value, and, if so, they ought to contribute *pro rata* towards the discharge of the great debt created by the

states, under their past united efforts in the protection of that species of property in common with others : unless all the ungranted lands shall be considered as jointly to belong to the United States, as conquered at the common expense of blood and treasure, and which your committee consider they ought to be, on every principle of justice and sound policy, and that joint right expressed in the articles in as clear and precise terms, as that the 'bills of credit emitted, money borrowed, and debts contracted, by or under the authority of congress, shall be deemed and considered as a charge against the United States.' But this joint right, your committee apprehend, may hereafter be said to be resigned to each state wherein such lands lie, by certain parts of, and expressions in, the ninth article disapproved of by your committee; to wit : by the words '*provided also*, that no state shall be deprived of territory for the benefit of the United States,' at the latter end of the second section; and those words in the fourth section, which prescribes the powers of congress; viz : 'regulating the trade, and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its *own limits* be not infringed or violated.'

"From the vague and extravagant descriptions of some of the states, in the first grants or charters for government, their claims for western limits have been to the southern ocean, including countries partially possessed by the kings of France and Spain. The provisional expressions in the article above mentioned, your committee apprehend, may and will be insisted to mean an admission of the extent of their respective limits, westward to the said sea, and all the ungranted lands within those limits, *state territory*, and solely in the disposition of the states claiming those limits, though, heretofore, considered as belonging to the crown of Great Britain, and occasionally granted under that authority, with reservation of rents to a great amount. Such admission, your committee apprehend ought not to be; for that it will appropriate that to individual states, which hath been, or may be, acquired by the arms of the states-general, and will furnish such individual state with a fund of wealth and strength, which may prompt them to subdue their weaker neighbours, and eventually destroy the fabric we are now raising. To prevent which consequences, your committee are of opinion that not only the joint right in the ungranted land should be expressed as before mentioned, but that a moderate extent of limits beyond the present settlements in each of those states, should be provided for in the said articles.

“Your committee also object to, and disapprove of, the whole of the second edition of the ninth article aforesaid, as destroying and taking away that legal jurisdiction of the courts of law established within this state for determining controversies concerning private rights in lands within the same, without fixing with precision another jurisdiction for the purpose.”

Mr. Read also prepared the act of assembly which empowered the delegates from Delaware to ratify the articles of confederation.

On the eighteenth of August, 1779, he was compelled, from ill-health, to resign his seat in the legislature: in his address to the freeholders of Newcastle county, he observes that “he had served them in their general assembly for the twelve preceding years, without any solicitation on his part;” that “he was in earnest in declining, and did not wish to be courted to continue in their service, having no sinister ends or views to answer by this step, which had been suspected to have been the case of some who had given notices of the like kind heretofore.” In 1780, however, he again devoted his services to the state in the legislature of Delaware.

On the fifth of December, 1782, Mr. Read was appointed one of the judges of the court of appeals in admiralty cases. This appointment was announced to him in the most flattering manner, by Mr. Boudinot, then president of congress, and afterwards the venerable president of the Bible society. This office was filled by Mr. Read until the abolition of the court.

In January, 1785, he was appointed, by congress, one of the commissioners, who constituted a federal court created by that body, conformably with the petitions of the states of New York and Massachusetts, for the purpose of determining a controversy which had arisen in relation to territory. In 1786, he was nominated, by the legislature of Delaware, as one of their delegates to Annapolis, to consult with commissioners from the other states, relative to the formation of a system of commercial regulations for the union. In 1787, he was a member of the convention which framed the constitution of the United States. Immediately after the adoption of the constitution, he was elected a member of the senate of the United States.

In 1792, the sentiments of Mr. Read in relation to the abilities and integrity of John Adams, of whom he entertained a high opinion, were fully developed in the following communication addressed to Gunning Bedford, who married the only sister of Mr. Read, and was subsequently governor of the state of Dela-

ware: it is dated at Philadelphia, on the thirtieth of November, 1792.

"Dear sir—Recollecting that on Wednesday next you meet your two colleagues as electors of president and vice president of the United States, I have supposed that you would expect some information from me respecting Mr. Adams, the present vice president, as to his conduct in the chair of the Senate of the United States, since so much pains have been taken in the public prints of the present year, to raise a general prejudice against him, in expectation of preventing his re-election.

"It is but a piece of justice, due to Mr. Adams, for me to say that as chairman of the house of congress, of which I am a member from the Delaware state, his conduct at all times since his being placed there, hath appeared to me attentive, upright, fair, and unexceptionable, and his attendance at the daily meetings of the senate, uncommonly exact. As to his having abilities equal to that station, none of his detractors insinuate a want thereof, and any thing on that head from me must be unnecessary. His various political publications sufficiently evidence such ability.

"With respect to the objections to him, which I have heard or seen on paper, they principally existed previously to his former election, at which, you well know, his popularity was such as to induce a portion of electors in each state of the union to throw away their votes, (but not to be done now by those who wish his re-election,) by applying them to names not with a view to their return, but in order to secure the presidency to General Washington. The present change of sentiment, therefore, with respect to Mr. Adams, is not easy to be accounted for at a distance from the central scene. I have supposed the clamour raised against Mr. Adams, to have proceeded from a personal dislike of an individual, contracted, perhaps, before the adoption of the present federal system; as well as from the general jealousy that such of the southern states as are most interested in the future seat of the federal government, entertain of the possibility, or probability, of its being changed through the influence of an eastern character, in high station.

"Some pretend an opinion that a rotation in office is a salutary thing in republican governments; but this has always appeared to me an insincere reason urged by those who use it; but this, perhaps, because my sentiments have, at all times, been uniformly otherwise: to wit; that when a fit character hath been selected for office, either by the people or by their executive authority, and he discovers

such fitness by an able discharge of duty for a time, such person hath a reasonable claim to an after-continuance in office; and I consider it as conducing to the interests of the community, for whom such officer acts, by means of the improved knowledge of the duties of office which he acquires.

"You may be assured that what I have before said as to Mr. Adams, hath not proceeded from any intimacy subsisting between us; for in the three past years, I have not been so many times in his residence, exclusive of the complimentary visit at the commencement of each session."

Mr. Read continued in the senate of the United States until September, 1793, when he was appointed chief justice of the Supreme Court of the state of Delaware. He performed the duties of this distinguished office with extraordinary ability and integrity, until the autumn of 1798, when his long life of public usefulness was suddenly terminated by a brief illness.

The perplexity and confusion which followed the close of the revolution, imperiously demanded the services of a judge possessing the peculiar qualifications of Mr. Read. His dispassionate habits of reasoning, his patience in hearing, his deliberation in deciding, and the essential requisites of profound legal knowledge which he possessed, enabled him to discharge the duties of his office with honor to himself, and advantage to the community. The courts of justice at that period were, in a manner, closed, and the master-spirits of the age were to be found in the cabinet or the camp. Laws were silent amid the din of arms. The duty of the judge was little less than the reorganization of a legal system out of chaos. This arduous task was performed by Mr. Read with his usual ability, and his decisions are still revered in the state of Delaware as the great landmarks of the judiciary and of the profession.

We have now seen this eminent individual distinguishing himself at the bar as a lawyer; animating his fellow-citizens against oppression as a patriot; taking his seat in the national council as a sage; and presiding on the bench as one of the judges of the land. In all these lofty stations, exposed to that strict and merciless scrutiny, to which, we trust, republicans will ever subject men in office, no blemish was discovered in his conduct. Applause at the bar did not, in him, generate vanity; success in political life, ambition; nor the dignity of the bench, dogmatism. As a lawyer, a patriot, a senator, and a judge, he was alike unpretending, consistent, dig-

nified, and impartial. His other peculiar characteristics were an inflexible integrity of motive; a cool determination of purpose; and an invincible perseverance in the conclusions of his judgment.

Similar traits were prominent in the course of his private life, softened, however, by those social amenities which so delightfully relieve the sterner features of the patriot and the statesman. His manners were dignified, and his dignity may sometimes have bordered upon austerity. He avoided trifling occupations, disliked familiarity, and could not tolerate the slightest violation of good manners, for which he was himself distinguished. A strict and consistent moralist, he granted no indulgence to laxity of principle in others; and he was remarkably adverse to that qualified dependence which an obligation necessarily produces. Notwithstanding an exact attention to his expenditure, which he never permitted to exceed his income, his pecuniary liberality was very extensive.

Mr. Read was above the middle size, erect, and dignified in his demeanour; and he was remarkable for attention to personal arrangements.

In fine, he was an excellent husband, a good father, an indulgent master, an upright judge, a just man, and a fearless patriot.

NOTE.

The mansion of George Read, at New Castle, was situated on the bank of the river Delaware, of which it commanded an uninterrupted view, and in the midst of extensive gardens, running back to the grounds where were the offices and stables. It was a large old-fashioned house, built of stone, with a spacious hall in the centre, on one side of which was a very large drawing-room; and on the other, the library and dining-room; and still further in the rear, the roomy kitchens. Above were the sleeping apartments. About the house bloomed a profusion of flowers, among which the tulips were particularly conspicuous on account of their great variety and beauty. Here Mr. Read resided for many years in the style of the colonial gentry, who maintained a state and etiquette which have long since disappeared.



'DUCHE'S HOUSE' RES. OF GOV. THOMAS M. KEAN.

4 Third Street Philadelphia.



THOMAS M'KEAN.

THE lives of most men pass away unobserved, unheeded and unknown, out of the particular family circle to which they are attached. Those who emerge from the general obscurity, and become eminent for their talents and virtues, are characters peculiarly adapted for the delineation of the historical pencil, because their example may prove useful to others.

Few of the splendid luminaries which have adorned the political firmament of the republic, possess stronger claims to this distinction than THOMAS M'KEAN. Living in turbulent and tempestuous times, beset with trials and difficulties, frequently assailed by the ambition, the envy, and the malice, of powerful individuals, and the flattery or hatred of different parties, he served in public stations of government for the long term of fifty years, during which, he uniformly retained his fortitude and integrity, and the well-merited confidence of his fellow citizens.

THOMAS M'KEAN was born on the nineteenth of March, 1734, in the township of New London, county of Chester, and the province of Pennsylvania. His father, William M'Kean, was a native of Ireland, and was united in marriage, in this country, to Lætitia Finney, of the same nation.

After the customary elementary education, he was placed under the tuition of the Rev. Francis Allison, D. D. When he had completed the regular course of instruction adopted in the celebrated institution of Dr. Allison, he went to Newcastle, in Delaware, and entered the office of his relative, David Finney, as a student at law. In about two years from this time, his assiduity and good conduct procured him the appointment of deputy prothonotary, and register for probate of wills, &c. for the county of Newcastle, which he retained until he was twenty years of age.

Before Mr. M'Kean had attained the age of twenty-one years, he was admitted an attorney at law. He soon obtained a considerable share of business; and, in 1756, was admitted to practise, in the

court of his native county of Chester, and soon afterwards, in the city and county of Philadelphia. In 1756, the attorney-general, who resided in Philadelphia, appointed him his deputy, to prosecute the pleas of the crown in the county of Sussex: he resigned this office, after having for two years performed its duties with judgment and ability. In 1757, he was admitted to the bar of the Supreme court of the province of Pennsylvania. In the same year, he was elected clerk of the house of assembly; and in 1758, he was again appointed to the same station, but after that period, he declined a re-election. In 1762, he was selected by the legislature, together with Cæsar Rodney, to revise and print the laws passed subsequently to the year 1752, a duty satisfactorily executed.

In the same year, Mr. M'Kean first embarked on the stormy sea of politics, which he afterwards braved for nearly half a century. In October, 1762, he was elected a member of the assembly from the county of Newcastle, and was annually returned for seventeen successive years, although, during the last six years of that period, he resided in Philadelphia, and had frequently, through the medium of the public papers, communicated to his constituents his desire to decline the honour of a re-election. At length, in 1779, he declined re-election; when a committee waited upon him at Newcastle, to request that he would designate seven persons in whom they might confide, as representatives of that county. To this flattering request he was reluctantly obliged to comply, and his nominees were elected by a large majority.

In 1764, he was appointed, by an act of the legislature, one of the three trustees of the loan-office for Newcastle county, (an institution for the encouragement of industry and the improvement of lands,) for four years; which trust was renewed in the years 1768 and 1772.

When the attempt of the mother country to tax the colonies aroused the provinces to united opposition, it was proposed that the legislative assemblies should appoint delegates to a general congress. This illustrious body, of which Mr. M'Kean was a member from the counties of Newcastle, Kent, and Sussex, on Delaware, assembled at New York, in October, 1765. Their proceedings discover a spirit of decision and firmness, totally irreconcilable with a state of servitude, and ready to adopt every expedient for relief, which prudence could suggest, or fortitude achieve. Before the commencement of the proceedings, it was made a *sine qua non* on the part of Mr. M'Kean, and resolved accordingly, that the committee

of each colony should have one voice only, in determining any questions that should arise in the congress.* He was appointed, with Mr. Lynch and Mr. Otis, to prepare an address to the house of commons; and displayed, on every occasion, that unbending firmness and energy which characterized his subsequent public conduct.

The Stamp-act Congress, as it was called, having framed a declaration of rights and grievances, together with an address to his majesty, and memorials to the lords and commons, was dissolved on the twenty-fourth of October, 1765. A few members of this body were either suspected of being inimical to its designs, or acted in such a manner as if they were more desirous of ingratiating themselves with the British ministry, than serving their country. When the business was concluded, and on the last day of the session, the president, and some timid members, refused to sign the proceedings. Mr. M'Kean then rose, and addressing himself personally to the president, remarked, that as he had not made a solitary objection to any of the measures which had been finally adopted, nor a single observation indicative of disapprobation, he requested that he would now assign his reasons for refusing to sign the petitions. To this demand, the president replied, that he did not conceive himself bound to state the cause of his objections. Mr. M'Kean rejoined, with great severity, and urged the president to assign the reasons of a course so inconsistent and uncourteous. Thus pressed to an explanation, the president, after a long pause, observed, that "it was against *his conscience*." Mr. M'Kean now rung the changes on the word *conscience* so long and loud, that a plain challenge was given and accepted, in the presence of the whole congress; but the president departed from New York the next morning before the dawn of day. Mr. Robert Ogden, then speaker of the house of assembly of New Jersey, also refused to sign the petitions, although warmly solicited by Mr. M'Kean in private, as well as by his colleague, Colonel Borden. The great mass of the people were, at this time, zealous in the cause of America. Hence, Mr. Ogden was desirous of concealing, for some time, the adverse part which he had taken in the proceedings of the congress. He accordingly requested Colonel Borden not to mention the circumstance among his more immediate constituents, and to use his influence with Mr.

* In this movement, we may perhaps discover the original of the federative character of our present senate; a principle, by which the interests of each community in the national family is protected, without essentially impairing the general republican features of the constitution.

M'Kean, his son-in-law, to prevail on him to pursue the same course: but the latter did mention it, and the speaker was burned in effigy, and removed from office: the consequences to Mr. M'Kean were menaces of another challenge, not more fatal than the former.

On his return to Newcastle, he, with his colleague Mr. Rodney, reported their proceedings to the assembly of Delaware, and received the unanimous thanks of that house, for the energy and ability with which they had discharged their duties in the congress.

Mr. M'Kean continued to be engaged in various public employments. On the tenth of July, 1765, he was appointed by the governor sole notary, and tabellion public, for the lower counties on Delaware; and, in the same year, received the commission of a justice of the peace, and of the court of common pleas and quarter sessions, and of the orphan's court, for the county of Newcastle. In November term, 1765, and February term, 1766, he sat on the bench which ordered all the officers of the court to proceed in their several duties, as usual, on *unstamped paper*: this was accordingly done; and it is believed that this was the first court in the colonies that established such an order. In 1771, he was appointed by the commissioners of his majesty's customs, collector of the port of Newcastle; and in October, 1772, he was chosen speaker of the house of representatives.

Owing to a change of ministers in the British cabinet, the stamp act was repealed; but two years had not elapsed from this period, before the government, resolved to test this right, and derive a revenue from their colonies, imposed a duty on the importation of teas, paper, painters' colours, and glass, which were prohibited from any other place than Great Britain. But there were patriots in the colonies who were fully aware that it would be established as a precedent. A correspondence accordingly took place among leading characters throughout the continent; a powerful opposition was organized, and measures concerted to render it effectual. Public meetings were held in the principal commercial towns, and it was finally agreed, that the colonies should appoint delegates from their respective houses of assembly, to meet in Philadelphia, on the fifth of September, 1774. Firm and decided, uniform and energetic, in resisting the usurpations of the British crown, Mr. M'Kean, as he had before done in 1765, took an active part in the preparatory measures which led to the meeting of this congress; and was appointed a delegate from the lower counties on Delaware, although

he had, a short time before, removed his residence permanently to Philadelphia.

An important era, not only in the history of America, but of man, had now arrived. Great events may not create, but they always will elicit and excite ability. On the fifth of September, Mr. M'Kean took his seat in the august assemblage, of which he became an invaluable ornament; and from that day, his country claimed him as her own. He was annually elected a member, until the first of February, 1783; serving in the great national council during the long, and uninterrupted, period of eight years and a half.

Two remarkable circumstances connected with this epoch, are peculiar to the life of Mr. M'Kean. In the first place, he was the only man who was, without intermission, a member of the revolutionary congress, from the time of its opening, in 1774, until after the preliminaries of the peace of 1783 were signed; for, notwithstanding he was also engaged in other important public affairs, his residence in Philadelphia induced his constituents to continue to return him. The other circumstance is, that while he represented the state of *Delaware* in congress, until 1783, and was, in 1781, president of it, yet, from July 1777, he held the office, and executed the duties, of chief justice of *Pennsylvania*. Each of these states claimed him as her own; and for each were his talents faithfully exerted.

Mr. M'Kean's career in congress embraced a series of unremitting and distinguished services. A few days after the first sitting, he was appointed one of the committee to state the rights of the colonies, the several instances in which those rights were violated or infringed, and the means most proper to be pursued for the restoration of them. He served diligently on the important secret committee to contract for the importation of arms and ammunition; and his talents were equally exerted in establishing the claims and accounts against the government; in superintending the finances of the states, and the emission of bills of credit; in hearing and determining on appeals brought against sentences passed on libels in the courts of admiralty; and in a variety of important and secondary transactions, connected with the general business of congress. On the twelfth of June, 1776, he was appointed a member of the committee to prepare and digest the form of a confederation to be entered into between the colonies: on the same day a draft was reported, which, after many postponements, amendments,

and debates, was finally agreed to, on the fifteenth of November, 1777.

It has already been remarked that the signatures on the Declaration of Independence do not, in more than one instance, merely indicate those who voted for it on the fourth of July, 1776; as several of the signers were not at that time in congress. But as regards some of the delegates another error also occurred, and among them Mr. M'Kean.

He was particularly active and useful in procuring the passage of the Declaration; nevertheless, although his name is subscribed to the original instrument deposited in the office of the secretary of state, he does not appear as a subscriber to the copy published in the Journals of Congress. The late Mr. Dallas, in the course of the re-publication of the laws of Pennsylvania, wishing to compile an accurate copy of the Declaration of Independence, addressed a letter, on the nineteenth of September, 1796, to Mr. M'Kean, requesting to know why such a variance existed. The answer to this inquiry is a valuable historical record: it is dated at Philadelphia on the twenty-sixth of September 1796. He thus explains the omission:

"Modesty should not rob any man of his just honour, when by that honour, his modesty cannot be offended. My name is not in the printed journals of congress, as a party to the Declaration of Independence, and this, like an error in the first concoction, has vitiated most of the subsequent publications, and yet the fact is, that I was then a member of congress for the state of Delaware, was personally present in congress, and voted in favour of independence on the fourth of July, 1776, and signed the Declaration after it had been engrossed on parchment, where my name, in my own handwriting, still appears. Henry Wisner, of the state of New York, was also in congress, and voted for independence. * * * I do not know how the misstatement in the printed journal has happened. The manuscript *public* journal has no names annexed to the Declaration of Independence, nor has the *secret* journal; but it appears by the latter, that on the nineteenth day of July, 1776, the congress directed that it should be engrossed on parchment, and signed by *every member*, and that it was so produced on the second of August, and *signed*. This is interlined in the *secret* journal, in the hand of Charles Thompson, the secretary. The present secretary of state, of the United States, and myself, have lately inspected the journals, and seen this. The journal was first printed by Mr. John Dunlap,

in 1778, and probably copies, with the names then signed to it, were printed in August, 1776, and that Mr. Dunlap printed the names from one of *them*."

In the year 1776, Delaware was represented in congress by Cæsar Rodney, George Read, and Thomas M'Kean. Mr. Rodney was not present when the question of independence was put, in a committee of the whole, on the first of July. Mr. M'Kean voted for, and Mr. Read against it. Delaware was thus divided. When the president resumed the chair, the chairman of the committee of the whole made his report, which was not acted upon until Thursday, the fourth of July. Every state, excepting Pennsylvania and Delaware, had voted in favour of the measure, but it was a matter of great importance to procure an unanimous voice. Mr. M'Kean, therefore, without delay, despatched an express, at his private expense, for Mr. Rodney, who was then in Delaware. That gentleman, hastened to Philadelphia, and was met at the door of the state house, in his boots and spurs, by Mr. M'Kean, as the members were assembling on the morning of the fourth. After a friendly salutation, but without exchanging a word on the subject of independence, they entered the hall together, and took their seats. They were among the latest in attendance; the proceedings immediately commenced, and, after a few minutes, the great question was put. When the vote of Delaware was called, Mr. Rodney rose, and briefly expressing his conviction that the welfare of his country demanded the declaration, voted with Mr. M'Kean, and secured the voice of Delaware. Two of the members of the Pennsylvania delegation, adverse to the measure, being absent, that state also united in the vote, by a majority of one. By these means, the Declaration of Independence became the unanimous act of the thirteen states. Mr. M'Kean being engaged in military services, was not present in congress during several months next succeeding the fourth of July, 1776; and it was not until the month of October, that he had an opportunity of affixing his signature to the declaration, *engrossed on parchment*, as directed by a resolution of congress subsequent to his necessary departure from Philadelphia.

Mr. M'Kean was president of the convention of deputies from the committees of Pennsylvania, held at the Carpenter's Hall, in Philadelphia, in June, 1776, who unanimously declared their willingness to concur in a vote of the congress, declaring the United States free and independent states. He was one of the committee, with Dr. Franklin, and two other deputies, which drafted that declara

tion; on the twenty-fourth of June, he signed it in behalf of the state of Pennsylvania; and on the succeeding day, delivered it to congress, in the name of the convention. The regiment of associators, of which he was colonel, had, in the preceding month of May, unanimously made a similar declaration.

On the fifth of July, 1776, he was chosen chairman, at a conference of the delegates in congress, for the states of New York, New Jersey, and Pennsylvania. In the same year, he was also chairman of the committee of safety of Pennsylvania, and of the committee of inspection and observation for the city and liberties of Philadelphia.

Mr. M'Kean, at this time, was colonel of a regiment of associators of the city of Philadelphia. At a conference held on the fifth of July, 1776, between a committee of congress appointed for the purpose, and the committee of safety of Pennsylvania, the committee of inspection and observation for the city and liberties of Philadelphia, and the field officers of the five battalions of that city, it was agreed that all the associated militia of the state, with certain exceptions, who could be furnished with arms and accoutrements, should immediately march, with the utmost expedition, to New Jersey, and continue in service until a flying camp, of ten thousand men, could be collected to relieve them. In consequence of these resolutions, Mr. M'Kean, a few days after the Declaration of Independence, marched at the head of his battalion, to Perth Amboy, in New Jersey, to support General Washington. Although, during his term of service, no regular engagement took place, he was sometimes exposed to considerable danger, in the skirmishes, or rather cannonading, which occurred.

After the flying camp was completed, the associators were discharged, and Mr. M'Kean returned to Philadelphia, when he resumed his seat in congress. Finding that he had been elected a member of the convention for forming a constitution for the state of Delaware, he, in two days, departed for Dover, which he reached in one day. Immediately on his arrival, after a fatiguing ride, a committee of gentlemen waited on him, and requested that he would prepare a constitution for the future government of the state. To this he consented. He retired to his room in the tavern, sat up all the night, and having prepared it without a book, or any assistance whatever, presented it, at ten o'clock next morning, to the house, when it was unanimously adopted.

In the year 1777, Mr. M'Kean acted in the double capacity of

president of the state of Delaware, and chief justice of Pennsylvania. "I have had," he remarks, in a letter to John Adams, dated November 8th, 1779, "my full share of the anxieties, cares and troubles, of the present war. For some time, I was obliged to act as president of the Delaware state, and as chief justice of this: General Howe had just landed, (August, 1777,) at the head of Elk river, when I undertook to discharge these two important trusts. The consequence was, to be hunted like a fox by the enemy, and envied by those who ought to have been my friends. I was compelled to remove my family five times in a few months, and, at last, fixed them in a little log-house on the banks of the Susquehanna, more than a hundred miles from this place: but safety was not to be found there, for they were soon obliged to remove again, on account of the incursions of the Indians."

On the twenty-eighth of July, 1777, he received from the supreme executive council, the commission of chief justice of Pennsylvania, and performed the duties of that high station with distinguished zeal and fidelity, for twenty-two years. At the time of his appointment, he was speaker of the house of assembly, president of Delaware, and a member of congress.

The burden of public affairs now fell heavily on Mr. M'Kean; and he became more and more solicitous to be relieved from his congressional duties. In 1780, he solicited the legislature of Delaware to relieve him. His resignation, however, was not accepted, and he continued his duties as a delegate from Delaware.

On the tenth of July, 1781, he was, on the resignation of Samuel Huntington, elected president of congress, but was constrained by judicial engagements to resign.

Congress accepted the resignation of Mr. M'Kean, but postponed the election of a president until the next day, when, on motion of Dr. Witherspoon, it was unanimously resolved, that Mr. M'Kean be requested to resume the chair, and act as president, until the first Monday in November, the resolution of the previous day, accepting his resignation, notwithstanding. To this measure he acceded. On the fifth of November, John Hanson was elected president; and on the seventh, it was "*Resolved*, that the thanks of congress be given to the honourable Thomas M'Kean, late president of congress, in testimony of their approbation of his conduct in the chair, and in the execution of public business."

Great clamour attended the elevation of Mr. M'Kean to the presidency of congress. His acceptance of that station, while holding

the office of chief justice, aroused the sleeping lions who would otherwise, in all probability, have dozed on, regardless both of their constitution and country. The press teemed with essays on the subject, maintaining both sides of the question, in which the advocates of Mr. M'Kean enjoyed a manifest advantage.

Independent in his principles and conduct, Mr. M'Kean, as chief justice of Pennsylvania, performed the duties of his office with impartiality and inflexibility. During the progress of the revolution, Philadelphia being the seat of the general government, and an object of peculiar watchfulness on the part of the enemy, the just performance of Mr. M'Kean's judicial functions required not only the learning of the lawyer, but the unyielding spirit of the patriot. Regardless of the powers of the crown of Great Britain, he did not hesitate to hazard his own life, by causing to be punished, even unto death, those who were proved to be traitors to their country. Such was the miserable fate of Roberts and Carlisle, the lamented victims of inflexible justice. The trials of these unfortunate men took place in September, 1778, and being both convicted of high treason, they were, a short time afterwards, executed.

Soon after his appointment to the office of chief justice, an incident occurred, evincing in bold relief the independent principle of action which guided his judicial career. Twenty persons were confined in the Free Mason's lodge at Philadelphia, on treasonable charges; and the popular excitement against them was extremely violent. Application was made to the chief justice, for writs of habeas corpus in their behalf, which were granted. This act, at a period of peculiar public agitation, caused great dissatisfaction among the more violent whigs, in which many members of congress participated. So marked, indeed, was their displeasure, that Mr. M'Kean, esteeming the good opinion of good men next to the approbation of a good conscience, considered himself called upon to justify his proceedings, in a letter to John Adams, dated nineteenth September, 1777, in which he stated the reasons of his conduct, and requested Mr. Adams, by a candid explanation, to remove the impressions that had been created. His conduct must meet the approbation of every enlightened lawyer who examines the case; and proves that the same inflexible justice that shrunk not from condemning, faltered not to save.

His firmness in the execution of the laws is exemplified by another striking example. In 1778, he issued a warrant against Colonel Robert L. Hooper, a deputy quarter-master, charging him wit

having libelled the magistrates of Pennsylvania, in a letter to Gouverneur Morris, and directing the sheriff of Northampton county to bring him before him at Yorktown. Colonel Hooper waited on General Greene, then quarter-master general, to inquire whether the circumstances of the army would admit of his absence. General Greene, in a letter to Mr. M'Kean, dated Camp, Valley Forge, third June, 1778, observed, among other things relative to the subject, that, as the army was just on the wing, he could not, without great necessity, "*consent*" to Colonel Hooper's being absent, as there was no other person who could give the necessary aid on that occasion; and he requested, that Hooper might enter into a recognisance, with ample sureties, to appear at any court where he was legally answerable. This direct interference of the military with the civil authority, roused the official spirit of the chief justice, and occasioned the following severe, but just answer, written at Yorktown, and dated on the ninth of June:

"I do not think, sir, that the absence, sickness, or even death, of Mr. Hooper, could be attended with such a consequence that *no other person* could be found, who could give the necessary aid upon this occasion: but what attracts my attention the most, is your observation that *you* cannot, without great necessity, *consent to his being absent*. As to that, sir, I shall not ask *your consent*, nor that of any other person, in or out of the army, whether my precept shall be obeyed or not, in Pennsylvania."

Mr. M'Kean industriously devoted himself to the discharge of the duties of chief justice until the year 1799, when he was elected governor of the commonwealth of Pennsylvania. In all the qualifications of the judge, it may, without hesitation, be said, that he had few equals in this, or any other country. The dignity which the Supreme court of Pennsylvania preserved, and the reverence which it inspired, while he presided over it, are still spoken of in high terms by those who remember it, and his judicial opinions, at a period when the law of the state was unsettled, and when a master mind was requisite to reduce it to a system, have established for him the reputation of being one of the ablest lawyers of his country. His memory is, to the present day, held in profound respect and veneration, in the courts of justice, and successive judges have, by their unvarying testimony, given unfading lustre to his judicial fame. "Chief Justice M'Kean," observes a late judge of the supreme court of Pennsylvania, "was a great man: his merit in the profession of the law, and as a judge, has never been sufficiently appreciated. It

is only since I have been upon the bench, that I have been able to conceive a just idea of the greatness of his merit. His legal learning was profound and accurate; but, in the words of the poet,

Meteriam superabat opus.—

In 1788, an attempt was made to impeach Judge M'Kean, for having committed Mr. Oswald for a contempt in publishing a libel on the court. Political circumstances and excitements attached some importance to the attempt; but the house, before whom the subject was brought, voted the charges to be unsupported, and that there was no ground for impeachment.

Mr. M'Kean was a member of the convention of Pennsylvania, which ratified the constitution of the United States. Delegated from the city of Philadelphia, he attended its various sessions, and moved the ratification of the federal constitution. The long and eloquent speech delivered by him on the eleventh of December, embraced a clear and comprehensive view of the whole subject. He unfolded, in a masterly manner, the principles of free government; demonstrated the superior advantages of the federal constitution; and satisfactorily answered every objection which had been suggested. Arranging these objections under ten distinct heads, he considered them singly, and delivered his refutation of them in a lucid and forcible manner.

Although Mr. M'Kean was not a member of the convention which framed the federal constitution, he was neither inattentive nor inactive, with regard to its proceedings. From the characters of the delegates, he entertained strong hopes that public utility would be derived from their deliberations. "But," he remarks, "we seem afraid to enable any one to do good, lest he should do evil." He was long an advocate for the just rights of the smaller, against the overbearing influence and power of the larger, states. A vote by states was insisted upon by him in the first congress of 1765, and in that held in Philadelphia, in 1774; and the concession was then made by the other states. At the meeting of the federal convention, he delivered to the delegates from Delaware, notes of the arguments used on those occasions, and at the same time offered, in private, his reasons in support of the security of the smaller states, to many members who represented the larger. His influence prevailed, and the result was the compromise which pervades the present system.

The amendment of the constitution of the state of Pennsylvania

was an object of high importance and general interest. At length, in 1788, a majority of the legislature was secured in favour of calling a convention, not openly to make a new constitution, but to consider in what respects the old one required alteration and amendment. At the election in 1789, Mr. M'Kean was appointed a delegate to this convention, from the city of Philadelphia. Composed of the first talents that Pennsylvania afforded, Mr. M'Kean rendered himself conspicuous in its proceedings, and the force of his knowledge and opinions was felt, and justly appreciated.

It is worthy of particular notice, that the provision "for the establishment of schools throughout the state, in such manner that the poor may be taught *gratis*," was made on the proposition of Mr. M'Kean.

In 1799, Mr. M'Kean was elected governor of Pennsylvania. His election was the result of a warm conflict between the two great parties which were then assuming those distinct political ranks, into which, for many years, the people of our country continued to be divided. It is unnecessary to specify the political changes and occurrences preparatory to, and causing, his election in preference to his able and distinguished competitor—James Ross. His success, through what was termed "the momentum of Pennsylvania politics," paved the way for the accession of Mr. Jefferson to the presidency; and during the whole period of that gentleman's administration, the weight of Mr. M'Kean's opinions and conduct was directed to the upholding of the principles which marked the policy of the general government.

It is the paramount duty of the biographer, to "nothing extenuate nor set down aught in malice." It is, then, with strict impartiality, that allusion is made to the party asperity which marked, in particular, the period at which Mr. M'Kean's administration commenced. The principle of removing from office all those of opposite political views, whether their station be high or low, and however well qualified, honest, and active, they may be, may be founded in party policy, but not in justice. At the commencement of his executive career, his policy on this subject was harsh and vigorous to an extent which then, and since, has been ascribed rather to political passions than to any promptings of patriotism. It must, however, be added, that after his administration became once settled on a firm basis, he exhibited the same determination in selecting men distinguished for their merit, without regard to party politics, as he had displayed, in times of high party excitement, in preferring po-

litical friends to political enemies. This spirit was illustrated in a particular manner, in many judicial appointments, and especially in twice choosing for the dignified station of chief justice of the state, gentlemen whose political feelings and associations were adverse to his own, but whose professional and personal characters rendered them worthy of elevated public trusts.

In a letter to Mr. Jefferson, dated tenth January, 1801, alluding to his removal of many political opponents from office at the time of his being chosen governor, he observes, "It is, at least, imprudent to foster spies continually about oneself. I am only sorry that I did not displace ten or eleven more; for it is not right to put a dagger in the hands of an assassin." The decisive character and course of Mr. M'Kean, and personal feelings of hope or disappointment, doubtless, created for him many enemies; yet during the whole constitutional period of nine years the majority of the people were with him; and, at the present day, when the party asperities and bickerings of the times are, in some measure, forgotten, it cannot be denied that his administration, in a general view, was marked by uncommon ability, and with great benefit to the state. His messages to the different legislative assemblies are characterized by peculiar eloquence and force of language, and are replete with sound maxims of political wisdom, and clear practical views of the policy of government.

In the years 1807 and 1808, an unsuccessful attempt was made to impeach him, as governor, originating from party malice, and the exasperation of designing and ambitious individuals, who found him too independent to submit to their superintendence in public affairs. Several petitions from a number of the citizens of the city and county of Philadelphia, were presented to the legislature, in the beginning of 1807, praying an inquiry into the official conduct of the governor. A committee was accordingly appointed for that purpose, with directions to report whether he had so acted in his official capacity, as to require the interposition of the constitutional powers of the house. This committee, after a short investigation, reported six charges against him, alleging abuses of power, and a violation of the law. These charges being frivolous in themselves, and having been condemned by the house as false, we do not consider it necessary to set them forth.

The very terms of the report would indicate the spirit in which it was framed, even were it not known that one of the committee, at least, was a principal agitator of the impeachment, and intempe-

rately attached to the disappointed party, which was labouring, unguibus et rostro, to disgrace and degrade the governor. "From even this limited inquiry," say they, "the committee are led to the conclusion, that the governor considers the constitution and the laws as mere instruments of executive convenience, and of so ductile a character as to be moulded into any shape at the suggestion of passion, ambition, or interest." The committee reported the following resolution :

"*Resolved*, That Thomas M'Kean, governor of this commonwealth, be impeached of high crimes and misdemeanours."

Had this report not savoured so strongly of partiality; had its language been more temperate and dignified, its conclusions less rigorous and authoritative, it would have argued a better cause.

The resolution was now fairly before the house; and the result which awaited the consideration of it, little accorded with the pleasant and confident anticipations of a majority of the select committee who gave it birth. "The committee," said they, "deem it superfluous to sustain the resolution which is submitted, by an appeal to the patriotism or the intelligence of the house. *They are aware that they are anticipated by its judgment and its integrity.* The facts speak so loudly for themselves, that the feeble voice of the committee cannot be raised to reach their tone. Justice, and the public welfare, demand punishment." Now, whether the legislature possessed less "judgment" and "integrity" than the committee were aware of, or whether less value was placed on this long, pompous, and inflated tirade of queries, and deductions, than it deserved, it did not at all alter the decision of the house, which, on motion of Mr. Porter, seconded by Mr. Shewell, indefinitely postponed the further consideration of the subject, on the twenty-seventh of January, 1808. It should be added that every member present from the city of Philadelphia whose rights were said to be particularly infringed voted in favour of the governor.

On the next day, the secretary of the commonwealth presented a replication from the governor, relative to the charges exhibited against him by the committee, which being read, Mr. Sergeant inquired whether the communication would be inserted on the journal? A variety of objections being made to this measure, a motion was made by Mr. Sergeant, and seconded by Mr. Ingham, that the message be inserted at large on the journal: on the the question being taken, it was determined in the affirmative. The defence of Mr. M'Kean offers a bright contrast to the report of his accusers; it

is dignified, able and eloquent, exhibiting all the calmness of conscious rectitude, all the majesty of beleaguered truth. The exordium is a truly noble specimen of composition. Mr. M'Kean then proceeds, in a circumstantial and irrefutable manner, separately to repel the charges of the committee; and triumphantly to vindicate his character, in every particular, from the aspersions with which it had been assailed.

Thus terminated a transaction, which, through the baleful and exterminating spirit of party, threatened to overshadow the closing career of a patriot, whose life had, during half a century, been devoted to the public service.

Towards the close of the year 1803, he was strongly solicited to become a candidate for the office of vice president of the United States. Mr. M'Kean declined this honour both on public and private considerations.

Towards the close of the eighteenth century, the French revolution excited much interest in America. At its commencement, indeed, it was very universally and justly admired; and almost every friend of rational freedom rejoiced, when the Bastile was destroyed, at the approaching emancipation of the people. But when public order and equitable principles yielded to the bloody and lawless sway of demagogues and ruffians, nothing but irrelevant motives, and extraneous pursuits, could have made our citizens endure the unexampled profligacy, insolence, and barbarity, of the then ruling powers of France. Mr. M'Kean, naturally and conscientiously, imbibed strong prepossessions in favour of French liberty, in conjunction with the members of the party to which he was attached. Many years after his retirement from public life, an interesting correspondence on this subject took place between him and John Adams, who had, from the outset, viewed the revolution in France with a prophetic eye. On the second of June, 1812, Mr. Adams thus opened the subject: "Nearly thirty-eight years ago our friendship commenced. It has never been interrupted, to my knowledge, but by one event. Among all the gentlemen with whom I have acted and lived in the world, I know not any two, who have more uniformly agreed in sentiment upon political principles, forms of government, and national policy, than you and I have done, except upon one great subject; a most important and momentous one to be sure—that subject was the *French revolution*. This, at the first appearance of it, you thought 'a minister of grace;' I fully believed it to be 'a goblin damned.' Hence all the

estrangement between us, that I know, or ever suspected. There is no reason that this should now keep us asunder, for I presume there can be little difference of opinion, at present, upon this subject.

Mr. M'Kean, in reply, fully realized the expectations of his correspondent, as to the congeniality of their sentiments. In relation to their co-operation in public affairs, he remarks, "I declare, with pleasure, and also with pride, that I embraced the political sentiments of none, with more satisfaction, (being congenial with my own,) than yours; nor do I recollect a single question on which we differed. It is true, I was a friend to the revolution in France, from the assembly of the notables (1787), until the king was decapitated (1794); which I deemed not only a very atrocious, but an absurd act. After that, I remained in a kind of apathy with regard to the leaders of the different parties; until I clearly perceived that that nation was *then* incapable of being ruled by a popular government: and when a *few*, and afterwards an *individual*, assumed despotic sway over them, I thought them in a situation better than under the government of a mob; for I would prefer any kind of government to such a state,—even a tyranny to anarchy. On this subject, then, I do not conceive we differed widely. I do assure you, that I venerate our early friendship, and am happy in a continuance of it." Again: "I decidedly think with you that a democratic form of government in France, in the present age, was preposterous."

Mr. M'Kean, having served as governor during the constitutional period of nine years, retired, at the close of the year 1808, from the cares of a long life, faithfully, ably, and successfully devoted to the service of his country; and, for the remainder of his days, enjoyed, in the peaceful pursuits of science and literature, the consciousness of a well-earned and honourable fame. In a letter to Mr. Adams, dated in June, 1812, he remarks—"Three years ago I shook hands with the world, and we said farewell to each other: the toys and rattles of childhood would, in a few years more, be, probably, as suitably to me, as office, honour, or wealth; but (thank God,) the faculties of my mind are, as yet, little, if any thing impaired, and my affections and friendships remain unshaken. Since my exemption from official and professional duties, I have enjoyed a tranquillity, never (during a long, protracted life,) heretofore experienced; and my health and comforts are sufficient for a moderate man."

We ought not, however, to omit an incident which occurred after the date of the above letter. In the last war with Great Britain, the citizens of Philadelphia, alarmed by the approach of the enemy, met in town meeting in the State-house square. Mr. M'Kean had been particularly desired to attend, and on his appearing once more among his countrymen, on a public occasion, he was greeted with profound respect and attention, and was unanimously called to take the chair. Never, since the revolutionary period, had a public meeting been held in Philadelphia on so momentous a business, and never, since the same period, had an occasion existed which demanded more promptness and decision of action. The enemy was already on our soil, and no man, whether among the boldest or the most cautious, had any reason to believe that Philadelphia would not, in a very few days, be the object of attack. The meeting, collected at the very place, where, in 1776, the Declaration of Independence had been proclaimed, proceeded to its business with great order. No noisy demagogues attempted to control its operations, or to create excitement by inflammatory harangues. The venerable chairman alone addressed it, and in a few brief sentences, delivered with the dignity and emphasis of his former days, touched the spirit that needed only to be awakened. The meeting, without waste of time, and without useless discussion, took the measures which the crisis demanded, and the city was in a short time placed in a condition to repel the attack of any force which the enemy could then bring against it.

During the whole of his career, Mr. M'Kean was remarkable for the most unbending integrity of character. He possessed a qualification, which has been justly noticed as a distinguished trait in the character of Washington,—a determination to do what he thought best for the interest of the state, without regard to the clamour of ignorance or of discontent. Independent of the opinion which the narrow-minded, but self-sufficient, might please to adopt with regard to him, he was willing to be judged by the consequences of his actions, however remote those consequences might be.

On the twenty-sixth of September, 1781, Mr. M'Kean received the diploma of doctor of laws, from the college of New Jersey. In the following year, he was invested with the same distinctions by Dartmouth college, in New Hampshire. On the thirty-first of October, following, he received the diploma of the society of Cincinnati. He was also a trustee of the University of Pennsylvania, and, in 1790, one of the founders of the Hibernian society for the

relief of emigrants from Ireland, of which he was a long time president.

In person Mr. M'Kean was tall, erect, and well proportioned. His countenance displayed, in a remarkable manner, the firmness and intelligence for which he was distinguished. His manners were impressive and dignified. In the month of July, 1762, he married Mary, the eldest daughter of Joseph Borden, esquire, of Bordentown, New Jersey, who died in February, 1773, leaving two sons and four daughters; the youngest of whom was only two weeks old. On Thursday, the third of September 1774, he was again united in marriage, by the Rev. Joseph Montgomery, to Miss Sarah Armitage, of Newcastle, in Delaware: five children were the offspring of this union.

At length, loaded with honours, this venerable patriot arrived at the *ultima linea rerum*, and departed to "the generation of his fathers," on the twenty-fourth of June, 1817, aged eighty-three years, two months, and sixteen days. His remains were interred in the burial ground of the first Presbyterian church, in Market street, Philadelphia.

Thomas M'Kean outlived all the enmities which an active and conspicuous part in public affairs had, in the nature of things, created; and posterity will continue to cherish his memory, as one among the most useful, and able, and virtuous fathers of a mighty republic:

Conscia mens recti, famæ mendacia ridet.

SAMUEL CHASE.

AMONG the patriots of the revolution, none were more actively engaged during its most trying scenes, and few more distinguished in after life, than SAMUEL CHASE.

He was born on the seventeenth of April, 1741, in Somerset county, Maryland, and was the child of the Rev. Thomas Chase, a very learned clergyman of the Protestant Episcopal church, who, succeeding to the pastoral charge of St. Paul's parish, in Baltimore, removed with his son to that town, in the year 1743.

Baltimore was, at that period, merely a village, and afforded little opportunity for the education of boys; but the Rev. Mr. Chase was perfectly well qualified to instruct his son. Under the tuition of a parent so accomplished and so devoted to learning, the young Samuel acquired a degree of erudition uncommon among his contemporaries; and at the age of eighteen, with the established character of a good scholar, was sent to Annapolis to commence the study of the law. He was admitted to practise in the mayor's court at the early age of twenty, and two years afterwards was licensed for the chancery and some of the county courts.

He chose Annapolis for his permanent residence, and very soon became known as an able, eloquent and fearless lawyer. He soon after married Miss Ann Baldwin, of Annapolis, a lady described, by those who recollect her, as remarkably amiable and intelligent, and who became the mother of two sons and two daughters, all of whom survived their parents. He afterwards became a member of the colonial legislature, and distinguished himself there not only by the vigour of his mind, but by the bold independence of his course, and his uncourtly bearing towards the royal governor and the court party.

The most memorable instance of the spirit which already animated him, is perhaps to be found in a vote by which he joined in the enactment of a new regulation on the subject of the compulsory



RES. OF JUDGE SAMUEL CHASE
Baltimore Md.

support of the clergy; and by the provisions of which his own father, still rector of St. Paul's, suffered a diminution of one half his income. He was an heir of his father's property; but neither that consideration nor the fear of offending the old gentleman, could restrain him from voting against the court party, and in favour of what he thought the rights of the people.

The stamp act, that first step in the career of ministerial folly, was heard of with less emotion, generally, in the southern than in the northern colonies; but every where the intelligence raised a flame of indignation and a spirit of resistance.

In the political mobs in Maryland, Mr. Chase bore an active and a leading part; and, in consequence, was designated by the mayor and aldermen of Annapolis, as a "busy, restless incendiary, a ring-leader of mobs, a foul-mouthed and inflaming son of discord and faction, a common disturber of the public tranquillity, and a promoter of the lawless excesses of the multitude."

Mr. Chase avowed and gloried in the action and violent part which he had taken. "I admit, gentlemen," he said, in one of his publications, "that I was one of those who committed to the flames, in effigy, the stamp distributor of this province, and who openly disputed the parliamentary right to tax the colonies, while you skulked in your houses, some of you asserting the parliamentary right, and esteeming the stamp act a beneficial law. Others of you meanly grumbled in your corners, not daring to speak out your sentiments."

The calm that followed the repeal of the stamp act was deceitful and transient; very soon new measures of aggression began to appear, and the vindictive act of parliament closing the port of Boston in 1774, roused the indignant colonists to action.

The several counties of Maryland having appointed committees of conference, they met in convention on the twenty-second of June, and agreed to the proposal of a general congress of the colonies, and appointed Mr. Chase, and four others, delegates to attend such meeting. He accordingly attended at the meeting of the congress at Philadelphia, in September, 1774. The whole effort made by this congress was pacific and conciliatory, and not such as the ardent temperament of Mr. Chase would allow him heartily to approve. It was an experiment founded upon an eloquent appeal from the ministry to the king and people of England, and was wisely, though unsuccessfully, made.

In December of the same year, Mr. Chase, with an additional

number of colleagues, was re-appointed a delegate, to attend at the session to be held in the ensuing May.

Mr. Chase attended in pursuance of this appointment, and joined in the appointment of Washington, as commander-in-chief, the organization of an army, and all the other measures of defence then adopted.

This session, like the preceding one, was of brief duration; but there was time for him to make many acquaintances and acquire some friendships, among men of the most distinguished talents and virtue of the country and of the age.

He was again elected in the summer of 1775, and attended during the early part of the second session of that year. The situation of the Maryland delegates was not at this time at all gratifying to their feelings; Mr. Chase, at least, certainly found it extremely irksome. They were expressly restricted from voting in favour of a declaration of independence; and however anxious they might be to see such a measure adopted, they were bound by their acceptance of this limited appointment, to withhold from it their active and open support.

The resolutions of the convention, first disavowing any desire of independence, and enjoining on their delegates to vote accordingly; then subsequently repeating the same sentiments and instructions, and again finally withdrawing the restriction, are matters of history, and need not be reiterated; it is sufficient to refer to them, to show how slowly the province of Maryland became fully inspired with that spirit of liberty which Mr. Chase, and many others of her sons, had imbibed in so large a degree.

In the spring of the year 1776, he received an appointment of the highest trust that congress could bestow—the mission to Canada, in conjunction with Dr. Franklin and Mr. Carroll. Great expectations had been indulged of important advantages to be gained by this embassy. The choice of commissioners was made, therefore, with extreme care, and implied the utmost confidence in the talents, zeal, and fidelity of the gentlemen that were selected. The reverses which befel the arms of the continentals on the northern frontier, prevented whatever success might otherwise have attended this mission.

When he returned to Philadelphia, he found that the proposition had been actually made to issue a declaration of independence, and his trammels, therefore, sat more uncomfortably upon him than ever. He hungered and thirsted for independence with an eagerness that knew no bounds, and yet was still tied by those ill-timed instruc-

tions, and had the mortification to see Maryland holding back, when nearly all the rest of the colonies had pronounced their wish for an immediate renunciation of the royal authority.

At about this period, an occurrence took place of a very singular nature, which drew forth a display of Mr. Chase's characteristic fearlessness and decision. Among the members of congress, there had prevailed the utmost confidence and mutual respect; and although differences of opinion existed, there was not supposed to be any want of sincere and faithful attachment to the common cause. But Mr. Chase discovering, by what means is not known, that the Rev. Dr. Zubly, a delegate from Georgia, was in correspondence with the royal governor of that province, immediately denounced him to congress as a traitor. Zubly admitted the truth of the accusation by a hasty flight, and measures were instantly taken for his arrest, but without success.

The instructions of his constituents were a galling yoke to Mr. Chase. With his characteristic activity, he left his seat in congress, traversed Maryland, and in concert with his colleagues and other friends assembled county meetings, at which he obtained an expression of sentiments more congenial with his own. The convention, then sitting at Annapolis, could not resist the overwhelming torrent of county addresses; and on the twenty-eighth of June, Mr. Chase wrote to Mr. Adams, the great leader in congress—"Friday evening, nine o'clock. I am just this moment from the house to procure an express to follow the post, with an unanimous vote of our convention for independence. See the glorious effect of county instructions. The people have fire, if it is not smothered."

The painful restriction on his own vote being now removed, he hastened after the express, came the one hundred and fifty miles, from Annapolis to Philadelphia, on Saturday and Sunday, was in his place on Monday morning, and voted with the majority, which on that day adopted the decisive resolution.

He was re-elected on the fourth of July, 1776, again on the twentieth of November of the same year, again in February, 1777, by the house of delegates, and in December, 1777, by the general assembly. Until the end of the year 1778, he was generally at his post, except occasionally when, for a few weeks, the representation from Maryland being full without him, he turned his attention to his own private or professional affairs; and during all the time of his attendance, he was constantly chosen a member of all important, as well as many unimportant, committees. The number and variety of the

duties devolved upon him by this frequent and almost daily appointment, seem to have been greater than ought to have been imposed on any one man, however industrious and able. The most discordant subjects, whether they were in their nature military, marine, financial, judicial, or political, without discrimination or mercy, were thrown upon his attention.

Urgent as were the calls of his professional duties and private interests, he did not hesitate to break off abruptly from the business in which he might be occupied, during his occasional visits to Annapolis, when he heard of any question being in danger of a wrong decision in congress, or any measure of wisdom and urgency requiring his support.

Thus, very soon after he had joined in the vote for independence, having retired for a short interval to the pursuit of his studies and the care of his domestic concerns, he hastened back to Philadelphia, on hearing that the plan of a confederation and a foreign alliance met with opposition and delay.

In the autumn of the year 1776, Messrs. Wilson, Smith, Clymer, Stockton, and Chase, were appointed a committee to "devise and execute" measures for effectually re-inforcing General Washington, and obstructing the progress of the British army.

To obstruct the progress of the British army was in effect the whole business of the government; the appointment of this committee was, therefore, tantamount to a devolution of the entire powers of congress into the hands of a *directory* of five men, and was intended as an alternative from conferring unlimited authority upon the commander-in-chief. The removal to Baltimore, which occurred soon after, and the resolution providing that "General Washington be possessed of full power to order and direct all things relative to the department of war," superseded the executive committee, and relieved them from a most embarrassing and perplexing task.

Another committee, of which he was a member, was appointed to devise means for suppressing the internal enemies of the union, and was obliged to notice the obnoxious conduct of the Quakers, and to consider how far it was requisite to adopt strong measures in respect to them. The dangers of the period, and the magnitude of the stake, induced the committee to recommend, and congress to adopt, a measure that seems at this distance of time to have been harsh, but which was doubtless considered indispensably necessary at that crisis. This was the apprehension of several respectable members

of the society of Friends at Philadelphia and elsewhere, and also the imprisonment of other persons whose conduct or conversation was exceptionable.

However severe this treatment of the members of a sect generally unoffending, and far from seditious, may appear at first view, there was certainly much provocation given by the Quakers in their publications prior to this time, intended to thwart and discredit the plans of congress; besides the detection of a systematic scheme of communication with the enemy, which had been put in practice by a monthly meeting in New Jersey.

The Testimony published by order of a general meeting of the Quakers of Jersey and Pennsylvania and by subordinate meetings, also contained many seditious sentiments, which were of course widely circulated, and which congress could not but feel to be at the same time insulting and injurious.

In the spring of 1778, intelligence was received of the intention of the British parliament to pass certain acts, called conciliatory bills, providing for the appointment of commissioners to treat with the Americans.

These drafts of intended bills were industriously, but secretly circulated by the tories, until congress caused them to be published, and circulated at the same time a countervailing address. The preparation of this paper was intrusted to Mr. Chase, Mr. Richard Henry Lee, and Mr. Gouverneur Morris, and the actual composition of it was left to Mr. Chase, and is marked by the nervousness of style and directness of assertion that characterized his writing and conversation. With less rhetorical elegance than is found in the preceding addresses, particularly that of the year 1774, composed by Mr. Lee, it is not less persuasive and eloquent. The danger averted by this address was imminent. But for the precautionary energy of congress, the scheme would have succeeded, and American Independence would have been lost. To the address and energy of Chase, may, in great measure, be ascribed its defeat.

In order to disseminate this address the more widely, the aid of the pulpit was invoked, and it was recommended to ministers of the gospel, of all denominations, to read it immediately after divine service in their respective churches, chapels and other places of public worship.

The hall of congress was no place for the display of vehement or passionate oratory. Yet it was said of Mr. Chase, that on some occasions in debate, his ardour transported him far beyond the sim

ple logic that the place seemed to require. In the Maryland house of delegates, of which he had been a member for several years before he appeared in congress; and also in the election contests, which were carried on with great animation, he had improved to a high degree of excellence his powers of energetic, forcible delivery. In the language of party he was, therefore, styled the "Demosthenes of Maryland;" and it was reported of him that he anticipated in congress the regular proposition of independence, by the most impassioned and vehement exclamation, that "by the God of heaven he owed no allegiance to the king of Great Britain."

Ardent, active and undaunted he certainly was, not only in congress, but every where, in the cause of freedom, from his very entrance upon the stage of manhood until the consummation of his wishes in the peace and the acknowledgment of independence; and equally undaunted, ardent and active in the support of what he considered just sentiments and correct principles, during the latter part of his life.

His habits of study were never intermitted, except when they gave way to the calls of public duty. He found time, in the midst of all the anxieties and agitations of the revolution, to make himself a very accomplished lawyer; to the pursuit of eminence and honest profit at the bar, he devoted the last two or three years of the war; and in a private station hailed the return of peace and the establishment of secure independence.

In the year 1783, an incident occurred, that displays the warmth of feeling and keen penetration of Mr. Chase.

Being in Baltimore, he was induced to attend the meeting of a debating club, composed chiefly of students and very young men. Among the speakers there was one whose excellent style of delivery, fine voice, and strength of argument, particularly caught his attention. He spoke to the youth after the debate had closed, and found he was from Annapolis, and had been placed with a physician and apothecary in Baltimore, where he compounded medicines, and expected to receive instructions in pharmacy and medical practice. Mr. Chase advised him to study law, and encouraged him to hope for success in the legal profession. To this the youth replied, that he could not afford to go through the preparatory course of study, being entirely without means, and having no dependence except upon his own immediate exertions. Mr. Chase, with the sympathy of kindred genius, invited the young man to the benefit of his library, his instruction, and his table; and urged upon him the im-

mediate acceptance of the offer so earnestly, that it was promptly and gladly accepted, and the fortunate youth repaired to Annapolis, where he became established in the office of his generous benefactor. This young man was William Pinkney, afterwards the eloquent attorney-general of the United States, minister successively at the courts of London, Naples, and St. Petersburg, and the most distinguished lawyer in America.

In the month of June, 1783, the legislature of Maryland passed an act "concerning the stock of the Bank of England belonging to this state," by which it appears that there had been a large sum of money, besides bank stock, belonging to the state, left in the hands of an agent in London. Mr. Chase was appointed to visit London and collect the amount due. He accordingly repaired to England, and placed the claim in a train of adjustment. The amount eventually recovered through this negotiation, was about six hundred and fifty thousand dollars.

Mr. Chase remained less than a year in England, during which time he gratified a rational, and, it may be said, a professional curiosity, in observing the proceedings of the various courts of justice and the two houses of parliament. He made many interesting acquaintances among gentlemen of the bar, and those of parliamentary or literary celebrity; and the intelligence, frankness, fine flow of spirits, and remarkable powers of conversation which distinguished the American patriot and lawyer, made a most agreeable impression on the British statesmen and barristers to whom he became known.

He passed much of his time while in England in the society of the most eminent lawyers; was frequently in company with the rival statesmen Pitt and Fox; and had the gratification of being the guest of Edmund Burke, for one delightful week, at Beaconsfield.

On the third of March, 1784, at London, he was united to his second wife, Miss Hannah Kitty Giles, the daughter of Dr. Samuel Giles, of Kentbury; and soon after this event he returned to America.

The incidents of this agreeable residence in England, formed the theme of many of his conversations in his latter years. He recurred always with pleasure to his intercourse with the remarkable personages of that country. But he did not seem to have acquired any admiration of the British government, which he ever spoke of as corruptly, though ably, administered.

His compensation having been contingent, and the delays of chancery proceedings having made it impossible for him yet to see the issue of his labours, he returned much impoverished, and recommenced the practice of the law.

In the year 1786, he removed from Annapolis to Baltimore. The occasion, or at least a part of his inducement, was the pressing invitation and generous proposal of his friend Colonel Howard, who possessed a large estate in the immediate vicinity of Baltimore, on which a portion of the city has since been built; and being anxious for the improvement of the town, and highly appreciating the possible acquisition of such a man as Mr. Chase to his neighbourhood, liberally offered him a square of ground, without any other consideration than the actual residence of himself and family upon it.

This singular offer, characteristic alike of the liberality of Colonel Howard and the estimation in which he held the influence of Mr. Chase, was immediately accepted; the square was laid out between Eutaw, Lexington, Fayette and Paca streets, the conveyance was regularly made, and Mr. Chase built on this site the house of his permanent abode, where he lived and died, and which he left to his descendants.

At the time of his removal from Annapolis he received an affectionate compliment from the corporation of that city, of which he had been the recorder.

In the year 1788 a new court of criminal jurisdiction was organized for the county and town of Baltimore, of which Mr. Chase was named the presiding judge. This office being similar to that of recorder, which he had held at Annapolis, did not preclude him from the exercise of his profession. He continued at the bar, and served also in the convention which ratified, on the part of Maryland, the new federal constitution; but in the year 1791, on the resignation of Thomas Johnson, he finally relinquished the practice of the law, in accepting the appointment of chief justice of the general court of Maryland.

The attractions of judicial station seem to be irresistible. The acceptance of it generally involves a sacrifice in point of income, and the relinquishment of an honourable profession, for a position of great labour, vexation and responsibility; yet such appointments are seldom refused. Mr. Chase was still in the meridian of life, and possessed of talents and acquirements that insured a lucrative career at the bar. But he unhesitatingly gave up the prospect of professional eminence, together with the opportunities of political

distinction which his character and situation would have afforded, and chose his reputation as a judge the chief criterion according to which his name must be estimated by posterity.

When the new constitution went into operation, Judge Chase was not at first altogether pleased with the state of public affairs. His construction of the relative powers of the president and the senate, in respect to appointments, would seem singular at this time. Our ideas of the constitution are now formed more generally from observing its actual operation, than by study of its written provisions; but, in the beginning of its existence the letter of the instrument was the only guide, and looking to that alone, he supposed it would be the duty of the president to submit a list of candidates for each office to the senate, who would make the selection out of this number, and so determine the appointment.

A few years after this time, the unhappy dissension arose which divided this nation into parties, called federal and anti-federal, or federal and democratic.

The federal party was charged with entertaining aristocratic notions, and partialities for England; and with desiring to strengthen the executive branch of the government, and to depress the rights or disregard the will of the people.

We have seen in the events of his early years, how devotedly he served the cause of the people against the oppressions of the aristocracy and the royal power. As to his feelings towards the British nation, there is proof, besides the evidence which his actions afforded, that he had imbibed, instead of partiality and attachment, a deep rooted and perhaps excessive animosity. Speaking of the contest between England and France, in a letter to an intimate friend, he said, "I wish most cordially to see that proud, wicked and tyrannical nation," meaning England, "reduced to beg terms of peace from her ancient and inveterate enemy."

With these principles and sentiments, neither changed nor enfeebled, he became a zealous and unwavering federalist, and continued to the end of his life firmly and ardently attached to that party to which views and feelings so opposite to his own have been so often and positively ascribed.

If there be any mystery in this, it is not our province to explain it. We may venture, however, to suggest, that the future historian of this country, looking back on the distractions and heats of the period to which we refer, will record many instances of pure patriotism and true republicanism on each side of the party line; and will

say that a deal of strife and asperity arose out of questions possessing little intrinsic importance; that the parties misunderstood each other; and quarrelled only about men, when they thought they were contending for principles.

His political opinions being founded on honest feelings, his ardent temperament did not suffer him to remain a lukewarm politician, in a period of universal excitement. He therefore expressed himself freely and forcibly on the subject at all times, and made many enemies by so doing.

In the year 1794, some excitement of popular indignation at Baltimore, occasioned a disgraceful riot, in which two men were tarred and feathered in the street. Judge Chase took a stand on this occasion highly honourable to his firmness, and his resolute determination to assert the supremacy of the law. Holding at this time, the office of chief judge of the criminal court, he took measures for an investigation of the outrage; and caused two men, of very respectable standing, and great popularity with the ruling party, to be arrested as ringleaders.

The court room was crowded by many who had taken active parts in the riot, and hundreds of the same character were about the court house, with drums and fifes, and with colours flying. The persons arrested refused to give surety to appear at the next court—"Then," said the judge, "you must go to jail." One of the most opulent citizens proposed himself as surety, but the prisoner refused permitting it, when the judge ordered the sheriff to take him to prison; the sheriff replied that he could not take him; the judge then told him to summon the posse comitatus to his assistance; it was answered, he could get no one to serve,—the judge then said, "summon me, sir, I will be the posse comitatus, I will take him to jail." A member of the bar, of the first respectability, then addressed the judge, advising him to pass over the affair, and intimating to him, that he apprehended his life and property were in danger. "God forbid," was the emphatic reply of the judge, "that my countrymen should ever be guilty of so daring an outrage; but, sir, with the blessing of God, I will do my duty,—they may destroy my property, they may pull down my house over my head, yea, they may make a widow of my wife, and my children fatherless,—the life of one man is of little consequence compared to the prostration of the laws of the land—with the blessing of God, I will do my duty, be the consequences what they may." He gave the parties time to reflect upon the importance and propriety of

yielding, and appointed the next day to meet them. It was observed that the morrow would be Sunday—"No better day," replied Judge Chase, "to execute the laws of our country; I will meet you here, and then repair to the house of my God!" Not obtaining security for their appearance on Sunday, he sent an express to the governor and council, on that day, calling for the support of the state. On Monday, he was waited upon by three of the most wealthy and respectable citizens of Baltimore, to request him to desist, and give up the point, apprehending serious consequences to the city: He replied to them with great warmth, asked if they meant to insult him by supposing him capable of yielding the law to two obstinate men. They left him, and a few hours after, as the judge was going to court, the persons charged met him in the street and consented to give the security. When the court met, the grand jury refused to find a bill against the parties accused, and delivered a presentment against Mr. Chase.

The presentment of the grand jury comprises only two specific charges against the judge. First, of having insulted them by openly censuring the sheriff for returning so bad a jury. And, secondly, of having violated the bill of rights, by accepting and exercising, at the same time, two different offices,—chief judge of the criminal court, and chief judge of the general court of the state.

The reply of Judge Chase was marked by temperate moderation and firmness. He gently reminded them how much they had gone beyond the proper sphere of their duties, in meddling with such subjects as the holding two offices, and justified his censure of the sheriff as well founded, to the extent that he had actually uttered it.

In the conclusion of this reply he told the jury, "you will, gentlemen, continue to do your duty, and I shall persevere in mine; and you may be assured that no mistaken opinion of yours, or resentment against me, will prevent my having respect for you *as a body*."

In the year 1796, he was appointed by President Washington to the office of an associate judge of the Supreme court of the United States. In this exalted station he continued about fifteen years, distinguished by the dignity and ability with which he performed its functions.

His decisions were seldom if ever reversed, his ability was conspicuous, his industry and integrity were unquestioned; his legal opinions and instructions to juries were marked by sound sense, clear demonstrative logic, discrimination, and learning; expressed in perspicuous language, and delivered with remarkable impressiveness of manner.

He may fairly be said to have been a great judge; and was pronounced by a very distinguished lawyer of the Philadelphia bar, who was not his personal nor political friend, the "greatest" that he had ever seen; meaning, by that often misapplied term, the most prompt, sagacious, and learned.

Yet with all this well-deserved reputation, and notwithstanding the gratitude due to him from this nation, he was impeached by the house of representatives, tried before the senate on charges of high misdemeanor, and narrowly escaped condemnation.

The true cause of this incident in his life is to be found in his habit of unreservedly expressing opinions on national politics, and censuring freely where he thought censure was deserved.

In the year 1800, he held the circuit court, along with Judge Peters, the district judge, at Philadelphia; where among the prisoners to be tried was John Fries, who had been charged with treason in raising an insurrection against the general government.

Fries had already been tried and convicted before Judges Iredell and Peters; but a new trial had been granted on account of some irregularities on the part of a jurymen. The prisoner had been strenuously defended by Mr. Lewis and Mr. Dallas, lawyers of distinguished talents, who had rested his cause on a point of law, and admitting or faintly denying the facts, had contended that all his misdeeds fell short of the legal definition of treason.

The court had on that occasion given an elaborate judgment on the law of treason, which had been the subject of much discussion among judges and lawyers, as the trial had excited strong public interest.

When the session of the court was approaching, Judge Chase having considered the subject, and made up his mind fully in concurrence with Judge Iredell, and knowing that the whole argument would be repeated before him, thought it would save time and trouble to inform the gentlemen concerned as counsel for Fries, and also the district attorney, of the judgment which he had formed respecting the law.

With the approbation of Judge Peters, therefore, he caused three copies to be made of his opinion, of which, when the court met, he gave one to Mr. Lewis, and one to Mr. Rawle, the district attorney, reserving the other avowedly for the use of the jury that should be impanelled. He told the lawyers, however, that he did not mean to prohibit their arguing the matter to the court or to the jury.

Mr. Lewis and Mr. Dallas, knowing that their client's case was

desperate, immediately refused to attempt any defence, declaring that the cause had been prejudged. The next day Judge Chase, finding the lawyers had, as Judge Peters expressed it, "taken the stud," endeavoured to prevail on them to proceed with the cause, assuring them of every possible privilege and indulgence; but they thought the chance of obtaining a pardon would be better, if Fries were convicted without any attempt at a defence, and they knew there was little hope of producing a result different from the former verdict. Fries was tried without counsel, declining to allow others to be assigned for him, and convicted; but afterwards pardoned by the president.

The justification of Judge Chase's conduct, in this matter, was very plain to impartial spectators. He had no motive for desiring to injure the prisoner, or to prevent him from having a fair trial. His uniform practice had been to war against the proud, not the abject. Stern and severe as he was in the administration of justice, he never had been known to be cruel or oppressive. In apprising the counsel beforehand, of his opinions, he only did what the customary charge to the grand jury always does, and much more publicly, before the cases are heard, that the judge knows are to come before him. It was done with the concurrence of Judge Peters; and to those who knew that estimable man, this is enough to show there could have been nothing intentionally wrong.

The congress were at that time in session, but even in that arena of licensed animadversion, the political enemies of the judge did not think of insinuating a censure. Yet, four years after, this was made the prominent article of an impeachment, charging him with conduct "arbitrary, oppressive, and unjust," and with having brought disgrace on the character of the American bench.

In the course of the same spring, he held the circuit court for the Virginia district. One Callender had published a libel, or what was called a libel, of a very atrocious character against the president; and was tried for it at this court. Judge Chase had, of course, heard of the man and of the publication, and did not consider himself bound by any obligation of law or morality to suppress his opinion of both. He approached the trial, however, with no wish for the success of any thing but justice. Certain technical questions arose as to the competency of a jurymen, and the admission of evidence, which the judge happened to rule in such a way as was not propitious to the views of the prisoner's counsel, who, besides being disappointed by his decisions upon these points, were offended by the energy and abruptness of his manner.

Whether he was right in a legal view, is a mere question of special pleading; his decisions were subject to be overruled by a higher judicial power, but no appeal was taken.

In June of the same year, he presided at a circuit court for the Delaware district, at Newcastle. Here it was necessary for him to give a charge to the grand jury, instructing them in the definitions of the crimes to which their attention would probably be directed.

The sedition law was at this period in force; a severe and impolitic law, it may be said to have been; and as it proved, an unfortunate enactment for the principal promoters and defenders of it. Still it was the law of the land, and Judge Chase was bound to carry it into execution. It may be presumed, too, that he felt no repugnance towards this performance of his duty. The law resembled in its principles the resolutions of congress passed in 1778, which, as we have seen, were founded on a report, in the preparation of which he had joined, and were directed against the disaffected Quakers, whose sole offence was indiscreet or mischievous talking, and who were treated on that occasion with quite as much severity as was contemplated against the objects of the sedition law.

Judge Chase had always been in favour of strong measures, in the pursuit of what he thought a good object. Thus, we have seen him in 1765, joining if not leading a mob, in the insult to the stamp distributor; afterwards in 1777, he proposed to compel the tories to lend to congress, by making loan-office certificates a tender in all cases, so that, if A, a whig, owed B, a tory, instead of paying him money, which B would not lend to the continental government, he might pay the money into the treasury, and give B a loan-office certificate; a high-handed measure certainly, this would have been, but the end would perhaps have justified the means. So again in 1778, he recommended the arrest of the Quakers; in 1794, he insisted on the imprisonment of the Baltimore rioters, and it is not surprising that in 1800, he looked upon the sedition act as the wisest and most proper of all possible laws.

He certainly thought it incumbent on him to direct the attention of the grand jury towards a newspaper of notoriety in the district, which he understood or had reason to believe, was constantly transgressing the law intended to curb the licentiousness of the press. Judge Bedford, who sat with him on the bench, did not think it necessary to meddle with such matters, but the characteristic observation of Judge Chase was, "My dear Bedford, wherever we are, we must do our duty."

Great changes were seen within a short time following this period. Mr. Jefferson was elected president, many laws were repealed, the judiciary system was enlarged and then again cut down, the Maryland constitution in some points altered;—but party spirit remained undiminished.

In the year 1803, when the disputes on political questions had been very warmly carried on, the judge, in delivering a charge to the grand jury, at Baltimore, took the opportunity of reading them a lecture on politics. This was rather out of time and out of place, but it must be remembered, that great latitude has at all times been allowed to grand juries in this country, and we have seen them often interfere in matters that do not seem to be at all within their legitimate province; a judge, therefore, addressing them on political subjects, did not so much lead them from the track of inquiry which it was their duty to follow, as sanction a bad practice already existing.

The principal topic of his address, was the recent change in the constitution of Maryland, by the extension of the right of suffrage; an innovation which he thought of the most pernicious consequence.

He also inveighed against the alteration that had been made in the judiciary system of the union, and argued fully against doctrines which he ascribed to the political leaders of the majority.

In January, 1804, Mr. Randolph, incited by political animosity, moved, in the house of representatives, for the appointment of a committee to inquire into the official character of Judge Chase, and assured the house that there was ground for an impeachment.

The committee made their report on the sixth of March, recommending an impeachment; and on the twenty-sixth, the articles of impeachment, six in number, were reported. At the opening of the next session, Mr. Randolph renewed the matter, and two new articles were added. In due process of time and form, the senate was organized as a court, and he was put on his trial, which began on the second of January, and continued, after an adjournment, on the fourth of February, till the first of March, 1805.

The accusations were all founded upon the conduct which we have mentioned, at Philadelphia, Newcastle, Richmond and Baltimore, but attributed the worst of motives for that conduct which we have described as proceeding only from an earnest, and perhaps excessive love of justice, and zeal for political truth.

The details of the trial could not be given here, without swelling this memoir to an unreasonable extent. The utmost efforts of Mr.

Randolph and the other managers were exerted to produce a conviction, and it was said that much reliance was placed on the spirit of party, and great exertions made to obtain an agreement among the majority to seize this opportunity of crushing a political foe, that had never spared his reproaches of their policy, their principles or their characters. But it may well be doubted whether any such unfair attempt was made, and certainly no such combination was formed.

He was assisted by four able counsellors and faithful friends, Messrs. Martin, Harper, Hopkinson and Key, by whom the defence was managed with skill and dignity. Their arguments were all extremely cogent, but it implies no disparagement to the others, to say that the speech of Mr. Hopkinson, who was then a very young man, has not been exceeded, as a specimen of powerful and brilliant elocution, in the forensic oratory of our, or perhaps any country.

As to five of the charges, he was acquitted by a majority of the senate; on the articles relating to the address to the Baltimore grand jury, and the refusal to admit evidence offered on the trial at Richmond, a majority of the senate voted against him, but as a vote of two-thirds is necessary to convict, he was declared to be acquitted of the whole.

It is remarkable, than John Fries, the prisoner whom he was accused in the first article, of a desire and determination to oppress and deprive of a fair trial, some time afterwards called upon the judge, at his house in Baltimore, for the avowed purpose of thanking him for his impartial, fair and equitable conduct on that very occasion.

His spirit was not in the least depressed by the trial. He considered it a mere persecution, and was only the more confirmed by it in his distrust of the party which had gained the ascendancy. His health was, however, at this time failing, and he was obliged to absent himself during the progress of the impeachment, on account of a severe attack of the gout, which, added to the irritation he felt towards his accusers, rendered him so impatient of the restraints which his situation, as respondent, imposed, that he could with difficulty be withheld by his counsel from breaking out in open maledictions and scorn, before the high tribunal that was to decide upon his official character.

From this time he continued in the undisturbed exercise of his judicial functions, which he discharged with undiminished ability; and endeared to his family and his friends by the kindness and

generosity of his private life and the charm of his conversation, which was singularly instructive and agreeable.

Among his virtues, may be included a heartfelt piety and firm belief in the truths of Christianity. As a member of St. Paul's parish, he was at all times ready to afford his useful assistance and advice gratuitously to the vestry, on occasions of difficulty and embarrassment.

In the year 1811, his health gradually failed; his disease was slow in its progress, but of a nature to threaten certain dissolution. In the spring of this year he was compelled by increasing debility to forego his favourite exercise of riding on horseback; but continued to take the air daily in an open carriage. On these occasions he was always attended by one of his family, and being an enthusiastic admirer of the charms of nature, he discoursed with animation on the scenes that presented themselves before him. He was well aware that he had not long to remain with his family, and frequently conversed upon the subject, expressing himself with confidence and hope as a Christian.

A short time before his death, he expressed a desire to receive the sacrament, and held several conversations on the subject, with the clergymen of the Episcopal church, in Baltimore. It was accordingly administered to him by the late Dr. Bend, after which he declared that he was in peace and charity with all mankind.

On the nineteenth day of June, he had taken his customary airing and returned much exhausted by the sultriness of the weather. His death was now manifestly approaching. After the physicians were summoned to attend him, he spoke of his domestic concerns, gave several directions concerning his household, and was perfectly calm and resigned. He expostulated with his family against indulging the grief which their countenances betrayed; and declined taking a draught of medicine that was offered to him, saying as he put it aside, "God gives life." He expired so gently, that those around him scarcely knew when he had ceased to breathe.

His last will bespeaks a characteristic dislike of outward show, in the direction, that no mourning should be worn for him, and the request that his tomb should have no other inscription than his name, with the dates of his birth and his death.

It may be safely said that Samuel Chase was one of the most extraordinary men of the age, and exerted over the minds of others an influence not less potent or extensive, than belonged to any of those distinguished persons who assisted in the establishment of this

growing empire. With a mien and presence remarkably dignified and prepossessing, a lofty stature, well proportioned figure, and handsome countenance, he was gifted, also, if not with "a frame of adamant," at least with bodily vigour sufficient to support the most incessant activity; and with "a soul of fire," as truly as the restless monarch to whom it has been beautifully ascribed.

He seemed to have been born for the occasion and the crisis; and his fine intellect, undaunted courage, and fervid temperament, all ministered to the glorious result. He arrived at manhood just as the disputes between the colonies and the mother country began; and from that time till the Declaration of Independence, he moved about unceasingly like a flame, casting warmth and light around him. His contagious ardour and powerful rhetoric, made proselytes of his wealthy and less sanguine friends, who having much to lose, were timorous and lukewarm in the cause; and thus were some recruits enlisted that afterwards sustained their parts efficiently and nobly. His influence over the less considerate was unbounded; he was described as moving perpetually "with a mob at his heels." This was in the very commencement of the troubles, when he was the torch that lighted up the revolutionary flame in Maryland. His father was opposed to all these movements: the son encouraged an assemblage of young patriots to compel the old gentleman, with others, to take the oaths of fidelity to the new government. Disinterested and consistent in all things, he joined in a measure which reduced his father's income; his own he neglected in order to serve his country.

We have seen how efficient were his services, and how constant his labours during the war. As a judge, he was not quite in his most appropriate sphere; a colder temperament would have better suited the judicial station. Yet his faults were those of manner only; and happy would our country be to see always so much learning and excellent judgment, and pure integrity, in her judges, as marked the judicial character of Mr. Chase.

The vehemence of his feelings on the subject of party politics, was to be expected in a man who never had been lukewarm in his life. He could not separate his feelings from his judgment; and though he may have been mistaken, he was unquestionably sincere and firmly patriotic. "Yes, sir," said he to a son-in-law, a few years before his death, "you are a democrat; and you are right to be one, for you are a young man; but an old man, Mr. —, would be a fool to be a democrat."

Such a man could not fail to make enemies ; but he had the happiness to retain through life the warm attachment of many friends whose persevering affection was a proof of his private virtues, more honourable to his memory than even the prominence of his public character.

His career was so active ; the part he bore in a period of excitement and difficulty so important ; the incidents of his long life so numerous ; that this sketch must be considered as but an outline, leaving room for a future biographer to add the interesting details in the history of a man, whose actions posterity will seek to be more intimately acquainted with, and whose character will be the more highly appreciated as it is more particularly known.

WILLIAM PACA.

WILLIAM PACA, the second son of John Paca, of Harford county, in the state of Maryland, was born on the thirty-first of October, in the year 1740.

His father was possessed of large estates, and held an office of trust and profit under the provincial government; and being sensible of the advantages of a good education, spared no expense or pains to procure for his children the best instruction that the country could supply.

William was sent to the college at Philadelphia, then in high repute under the presiding care of the learned and eloquent Dr. William Smith, and was placed under the special superintendence of Colonel White, father of Bishop White, who watched over him with parental anxiety.

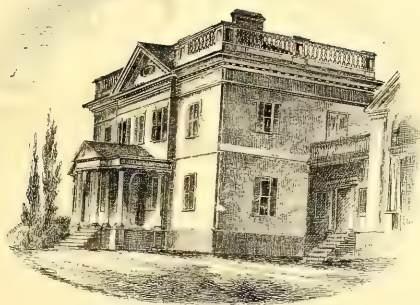
He was graduated as a bachelor of arts on the eighth of June, 1759, in the nineteenth year of his age, and immediately afterwards commenced the study of the law, at Annapolis, in the office of Stephen Bordley, one of the most profound lawyers of his time.

Mr. Paca continued to be an industrious student for four years, in the course of which period he contracted a matrimonial engagement with Miss Mary Chew, daughter of Samuel Chew, a gentleman of distinguished family and large fortune, residing in Ann Arundel county.

To this lady he was united in May, 1761. He had the misfortune to lose her after a few years of happy union, at the beginning of the revolution. They had five children, all of whom died young, except their son John P. Paca who still survives.

Mr. Paca was admitted to the bar, at the provincial court, on the eleventh of April, 1764, and established himself at Annapolis, where he soon became eminent in his profession.

In 1771, Mr. Paca became a member of the provincial legislature. This body had no power, except that of refusing its consent to the passage of laws. The power and influence of the govern-



RES OF WM PACA
Annapolis, Md.

ment rested exclusively with the proprietor, and a council of his appointment. This unequal partition of power was generally odious, and divided the people in the proprietary party or the opposition. Mr. Paca was active in the ranks of the opposition.

At the period above alluded to, between the years 1770 and 1772, there were, before the Maryland public, two subjects of great interest, independent of those which brought on the American war. The one related to an ancient act of assembly, by which a general poll tax had been laid for the support of the Maryland clergy belonging to the church of England, as established by law. This ought to be mentioned for the purpose of reference to a learned opinion given by Mr. Paca in the year 1772; when he contended against two very great lawyers, Daniel Dulany and James Holliday, that the act never had validity; it having been passed by a Maryland assembly after its dissolution by the death of William the Third. The three opinions, which are very much at length and full, may be found in a compilation published in England by George Chalmers; entitled the "Opinions of eminent lawyers on various points of English jurisprudence." The perusal of Mr. Paca's opinion will satisfy any professional man that he was a well educated and profound lawyer. But as the act of assembly had been in operation for many years, he could do but little more than utter an unavailing denunciation. On the other interesting topic, which produced the incident above alluded to, his labours were not in vain.

The legislature of the province of Maryland had been in the habit, for many years antecedent to 1770, of passing temporary laws for regulating the staple of tobacco and limitation of officers' fees. In the year 1771, an act of this description expired, and the house of burgesses had refused to continue it, unless great alterations were made in the fee rates; no agreement could be made, and the fee bill fell. In this state of affairs Governor Eden issued a proclamation advising the officers to act under the old law. This proceeding created a violent commotion in the province; it was considered an attempt, on the part of the governor, to legislate without the assent of the people, and brought on a paper war between the two parties, which was conducted with unusual acrimony.

Notwithstanding the opposition, the governor issued his proclamation, and in the midst of the irritation occasioned by it, the scene above alluded to was exhibited in Annapolis. The country gentlemen affected to consider the proclamation so abominably odious to freemen, that it deserved nothing better than a gibbet; they accord-

ingly, having a crowd of citizens, with Mr. Paca and Mr. Chase at their head, in open day formed a procession, taking with them the said proclamation, written on a conspicuous paper, with a small coffin, and proceeded to a gallows erected for the purpose, just outside the city, hanged it thereon by a halter, the usual time that a malefactor is suspended, then cut it down, enclosed it in the coffin, and buried it under the gallows,—minute guns firing from an elegant armed schooner, belonging to Mr. Paca, during the whole ceremony. The gentlemen then marched back to the city in order, and passed the rest of the day in festivity.

Mr. Paca and Mr. Chase were the soul of the country party; the efforts of which against ministerial and proprietary oppression, were manifestly successful. The provincial system of jurisprudence, was well calculated to secure public liberty, and the right of self-government.

When the struggle did actually come, in 1774, against the king and parliament, could there be spirits better calculated, than those of Mr. Paca and his associates, to resist a tyrant! They were trained to such exercises; their rights as British subjects had been under the severest discussion for more than a century; and no colonists in America had a better knowledge of them, or were more resolute in their defence.

When the act of parliament which closed the port of Boston was first heard of, a convention of deputies from the patriotic portion of the community in each county of Maryland, assembled for the purpose of consultation. The committee of correspondence of Massachusetts had written letters, proposing a congress to be held at Philadelphia; and the Maryland convention, acceding to the plan, appointed Mr. Paca, along with Mr. Chase and three others, to attend the congress, “to effect one general plan of conduct, operating on the commercial connexion of the colonies with the mother country, for the relief of Boston and the preservation of American liberty.”

The proceedings of that illustrious congress are too well known, to require that they should be detailed here. The object in view was conciliation, and a chief part of the business transacted during the session, was the preparation of the eloquent addresses or memorials to the king, the people of Great Britain, and the people of the colonies. Besides issuing these immortal state papers, the congress adopted the non-importation association, and all the members signed it in the vain hope, that such an evidence of the seriousness

of their feelings, and sincerity of their belief that injury had been done to them, would have some effect on the determinations of the ministry, or the disposition of the British nation.

The most remarkable clause in this agreement, or that which now strikes the mind of the reader most forcibly, as illustrative of the honourable feelings which prevailed here, contrasted with the narrow prejudices of the British government, is the one by which the slave trade was to be renounced and discouraged. Thus early did the American people bear emphatic testimony against that inhuman traffic, which the British government not only continued to permit, but in an unaccountable spirit of double cruelty, strenuously endeavoured to force upon the unwilling colonies.

In December of the same year, the same delegates, with the addition of Mr. John Hall and Mr. Thomas Stone, were elected to represent the province of Maryland in the next continental congress, with ample power to agree to all measures which might there be deemed necessary to obtain a redress of American grievances. And the same appointment was renewed the following summer.

Mr. Paca's talents for business were appreciated, and he was called upon to serve on several laborious committees in the year 1775, when he was a constant attendant in his place. Among these were the committees charged with the consideration of the critical condition of North Carolina and Virginia; and that selected for the purpose of devising means to raise a naval armament.

Scarcely had he liberty to withdraw his close attention from the peculiar difficulties of the south, before he was appointed to attend to an alarm from the colony of New York. And while he was devoting his mind to these duties, his purse was open to the use of his public-spirited countrymen; a volunteer corps of whom he and his friend Chase supplied with rifles, at an expense of nearly a thousand dollars.

Mr. Paca was, during the year 1775, and part of 1776, restrained from openly advocating that national independence to which he was looking forward with such anxious hope, and for the attainment of which he was labouring so zealously in all the affairs appertaining to a state of actual war, that were agitated in congress.

The people of Maryland were not yet ready for a step so decisive as a total renunciation of the royal authority; and it having been rumoured that such a plan was advocated by some rash persons, the convention early in the year 1776, in great alarm least the young men that represented that province in congress should join in such

a measure, tied them up by instructions which strictly enjoined upon them not to consent to any proposition for declaring the colonies independent; a resolution was at the same time adopted, that Maryland "would not be bound by the vote of a majority of congress to declare independency," accompanied with strong professions of loyalty and affection towards the king and mother country, and an assertion that Maryland did not entertain any views or desire of independency.

Under this galling bondage were Mr. Paca and his colleagues obliged to rest. They did not resign, because they hoped for a change in the wishes of their constituents, and they feared to vacate those places which might be filled, under the influence of the unhappy spirit then prevalent, with men of opposite principles to their own.

Mr. Paca continued therefore in the assiduous discharge of his duties, contributing his efforts to produce such a state of affairs as he hoped would render a separation from Great Britain less repugnant to the inclinations of Maryland. He accordingly assisted in planning a naval armament, which according to his instructions could carry no independent flag; in the procuring of saltpetre and other munitions, for a war to be waged against the forces of a king, to whom the Maryland convention were offering vows of loyal attachment; and in the organization of an army to be employed in resisting the orders of that government, from which his constituents declared they had no wish to separate.

In the middle of May, at the very time when congress were declaring that the royal authority had ceased, and recommending to the respective colonies to organize governments founded on the authority of the people, the Maryland convention repeated their restrictions.

This state of affairs, however, could not last long. The exertions of the leading gentlemen on the patriotic side were indefatigable, and the convention were induced, on the twenty-eighth of May, to dispense with prayers for the king and royal family. This first step being taken, the rest became more easy, and finally, on the twenty-eighth of June, the convention recalled their instructions, and left the delegates free to vote according to their inclinations, upon the question then under discussion before congress, of issuing immediately a declaration of independence. Thus being released from the trammels that had confined him, Mr. Paca gave his cordial vote in favour of the proposition, and inscribed his name upon

the declaration, which is destined to be read by the remotest posterity.

On the day when the declaration was dated, Mr. Paca was re-elected a delegate, and within a few weeks he had the satisfaction to see a resolution of the Maryland convention, approving of the decisive step, and pledging the lives and fortunes of the members in support of it. He was again chosen on the fifteenth of November of the same year, and on the fifteenth of February, 1777, and continued to be an active and efficient member of congress, during that season of severe trial and anxiety. He finally retired from congress at the close of the following year.

Nor was it merely in the general councils of the confederation that Mr. Paca took part during this period. He was at the same time actively employed in maintaining the good cause among the citizens of his own state, encouraging them to persevere, and employing all the resources of his mind to combat with the unceasing difficulties into which the Declaration of Independence had thrown them. Although an actual delegate in congress, he served as a member of the council of safety, whose duty it was made to regulate all operations for the security of the state, and to provide for its safety and defence; employing his personal exertions for the fulfilment of his trust, and animating his countrymen by his zeal, as well as by the readiness with which he embarked and risked his large and much exposed property. In the month of August, 1776, after having affixed his name to the Declaration of Independence, he went to the state convention assembled at Annapolis, and as a delegate from that city, took a prominent part in the discussions on, and formation of a new constitution founded on the change of government. In this convention he warmly advocated all the principles which he had supported in congress, principles which should render the new state a useful and powerful member of the great confederation, into which she now entered as a sovereign power. On the adoption of the new constitution, it will be supposed that he was not omitted among those whom the people called on to administer its offices; he was immediately elected to the senate, and held that post for nearly two years. In December, 1786, he was again chosen to the same station, but shortly afterwards resigned it. It may be remarked, that his popularity was not confined to the place of his residence, as he was at different periods a representative both of the Eastern and Western Shores of Maryland.

In the year 1777, Mr. Paca was married a second time, to Miss

Anna Harrison, the second daughter of a highly respectable gentleman of Philadelphia, but as in the previous instance, without long enjoying the happiness of his union. That lady died in the year 1780, leaving a son who did not long survive her.

Early in the year 1778, he accepted the appointment of chief judge of the superior court of his state, a station for which he was perfectly well qualified by his legal acquirements and elevated character; and the functions of which he continued to perform, with honour to himself and advantage to the state, until the year 1780, when he was appointed by congress chief judge of the court of appeals, in prize and admiralty cases. The duties of the office he performed with singular discretion, and with unimpeached correctness and integrity. His decisions met with the approbation of foreign governments and jurists, and several of them were so much esteemed as to draw from the Count de Vergennes, at that time prime minister of France, an expression of high admiration, which he directed the Chevalier de la Luzerne, the envoy of that nation, to communicate in his name to Mr. Paca.

From his duties to the confederation, he was soon recalled to fulfil the more immediate claims of his own fellow citizens. On the fifteenth November, 1782, he was chosen governor of his native state. The manner in which he performed the duties of this office was full of dignity and simplicity; his attention was always strict and his judgment careful and correct. But he did not think it sufficient to confine himself, merely to those acts which a strict interpretation of official requisites might have demanded. He took especially under his care, the interests of literature and religion, which had of course suffered a rude shock, during the long war that had prevailed, and the overthrow or change of many existing institutions. He promoted, both by his public efforts and by his private donations, the establishment of a college, named after the "father of his country," at Chestertown, on the Eastern Shore of Maryland; and at the first commencement for conferring degrees held within its walls, he had the gratification of receiving from the youthful graduates a grateful expression of their feelings, and an unexpected tribute to his worth.

In the summer of 1784, the members of the society of Cincinnati, in the state of Maryland, met at Annapolis, and elected Mr. Paca their vice president, an office which he appears to have held until his death.

No governor ever presided over a state with more popularity

than Mr. Paca. He was not only strictly attentive to his duties, but remarkably conciliating and prepossessing in his deportment. To young men especially he was always kind, and did every thing in his power to promote their improvement.

Mr. Paca was a man of remarkably graceful address, fine appearance, and polished manners, he had mixed long in the best society, and had improved his social powers to a very high degree of refinement. In the office of governor his superiority in these respects was very strikingly displayed, and the courtesies of the executive mansion have never been more elegantly sustained, than during his tour of office.

Mr. Paca retired after one year's tenure, from the chief magistracy, and remained in private life until 1786, when, upon the death of General Smallwood, he again received and accepted the office of governor, which he filled, as before, but for one year.

He subsequently served in the state convention which ratified the federal constitution, and after the organization of the new form of government, he received, on the twenty-second of December, 1789, an honourable testimony of the approbation of his fellow-citizens in being appointed judge of the district court of the United States for Maryland. The new government had just been organized, and the president displayed in his selection of persons to fill the offices, that prudence, patriotism, and sound sense which distinguished all the actions of his life.

In the year 1790, he held the first circuit court, with Judge Blair of the Supreme court, and continued in the regular and able discharge of his judicial duties from that time until the year 1799, when, in the sixtieth year of his age, and with faculties unimpaired, and a character untarnished, he fell a victim to disease, leaving to his family the inheritance of a name illustrious for the virtues of public and private life, and to his country the example of a superior mind, devoted with pure disinterestedness to the establishment of her liberties.

THOMAS STONE.

FEW distinguished names have faded more rapidly from public view than that of THOMAS STONE; yet none are remembered with more unqualified respect by a circle of surviving friends, whose exalted characters give an unmeasured value to their approbation.

He was lineally descended from William Stone, the governor of Maryland, during the protectorate of Oliver Cromwell, and was the son of David Stone, of Pointon Manor, Charles county, Maryland.

He was born in the year 1743, and was remarkable in early youth for the zealous pursuit of knowledge, and untiring industry, which continued to distinguish him through the whole of his life.

He acquired a knowledge of the Greek and Latin languages from a school about ten miles distant from his father's residence, and it was his habit, to rise at dawn, saddle his horse, and appear in school with the other pupils. An opportunity of acquiring this education, was the only inheritance which he ever received from his parents; although his father was possessed of a large estate in land. According to the opinion then entertained of the rights of primogeniture, Pointon Manor became the property of Samuel, the elder son; and Thomas, when removed from the school of Mr. Blaizedel, found himself under the necessity of borrowing money in order to prosecute the study of law. This he did in the city of Annapolis, under the auspices of Thomas Johnson, for whom he ever afterwards manifested a filial regard. He commenced the practice of the law in Frederick town, in Maryland, and after two years he removed to Charles county, in the same state. In the year 1771, previous to his removal, he married Margaret Brown, the youngest daughter of Dr. Gustavus Brown, of that county. The only property which this lady possessed, was the sum of one thousand pounds sterling. He was married in his twenty-eighth year, and his practice at that time was neither extensive nor lucrative. Great expectations were, however, entertained of him at this time.



RES OF THO^S STONE
D. H. ADAMS DEL.



His decorous deportment, his great industry and attention to business, his steady, and perfectly correct habits, his manly and independent conduct, and above all, the opinion that was generally possessed, of his inflexible and incorruptible integrity, inspired hopes, that were never disappointed, that he was destined to be an honour and ornament to his profession and his country. After his marriage, he purchased a farm, near the village of Port Tobacco. Upon this farm his family, with four of his infant brothers, resided during the revolutionary struggles.

The excitement produced by the stamp act had been shared by him in a great degree proportioned to the ardent temperament of youth, and though too young at that time to take any part in public affairs, his political principles were fixed by the discussions to which he was then a listener, and the strong feeling of indignation, against the British ministry which he then imbibed.

It was not, however, until after the Boston port bill, and the other aggressions of the year 1774, that Mr. Stone came prominently forward into public life.

He was not a member of the congress of that year, but was added, along with Robert Goldsborough, to the delegation of Maryland, by a vote of the provincial deputies on the eighth of December, 1774, and took his seat accordingly on the fifteenth of the following May.

The powers with which these delegates were invested seemed sufficiently ample, they being authorized to consent and agree to all measures which that congress might deem necessary and effectual, to obtain a redress of American grievances; and it was declared in the resolution appointing them, that the province bound itself to execute to the utmost of its power, all resolutions which the congress might adopt.

Mr. Stone attended punctually the meetings of the congress, and gave his time and attention faithfully to the duties of his post. In July, 1775, he was re-elected, as were his colleagues, for one year further.

Although this was subsequent to the actual commencement of hostilities, the battle of Bunker's Hill, and the appointment of a commander-in-chief, yet the thought of independence had not yet become at all palatable in Maryland; and the provincial conference did not suppose, when they made this appointment, that their chosen delegates would suffer themselves to be carried away by what was then deemed so extravagant an enthusiasm, as to vote for such a measure

Towards the close of the year 1775, however, the question of an entire separation from Great Britain, became the subject of very general discussion, both as to its policy and probability, and it was discovered that the Maryland delegates were much disposed to encounter the risk and venture upon a contest so unequal and even desperate, as it was considered by many of their constituents. Alarmed at this circumstance, the convention determined to restrain them by specific and strict instructions. These instructions were ample and decisive, and rendered it impossible, until they were revoked, that the Maryland delegation should support the Declaration of Independence.

Between the dates of these instructions and the middle of the ensuing May, great efforts were made to induce the convention to assent to the scheme of independence; but the professions of loyalty previously made in this colony, were perfectly sincere, and the attachment to the royal government was so strong, that the instructions, instead of being rescinded, were reiterated on the twenty-first of May, in the most emphatic terms.

At the moment when these cautious instructions were adopted by the Maryland convention, the continental congress were, in effect, proclaiming an independent government. The resolution of the fifteenth of May, averring that all authority of the crown had ceased, and that it was necessary for each colony to frame a constitution of government for itself, could not be construed to signify less than independence.

Mr. Stone concurred with his colleagues, in approving of this bold and important step, and used his most earnest endeavours to procure the adoption, by the province of Maryland, of a form of civil government similar to those already agreed upon by some of the other colonies, and based exclusively on the authority of the people.

The question of independence at this time engrossed general attention, and by whatever causes it may have been aided, certainly the disposition to hazard the daring, but glorious scheme, rapidly increased.

In the latter end of June, the example of Virginia on the one hand, and of Pennsylvania on the other, proved irresistible, and Maryland was obliged to recall her instructions, and agree to the assertion of a free and independent government. The convention accordingly—though with manifest reluctance—resolved, “That said colony will hold itself bound by the resolutions of the majority of the united colonies in the premises; provided the sole and ex

clusive right of regulating the internal government and police of that colony be reserved to the people thereof."

The Maryland delegates, after this, being left free to vote according to their wishes, recorded their names in favour of independence, upon the imperishable document which, in eloquent language, sets forth the "reasons that impelled them to the separation."

On the day which saw this proud manifesto issued, Mr. Stone and his colleagues were re-elected, and in the ardour of feeling at that moment prevalent, the convention forgot to limit their powers by any prudential restraints. Mr. Stone, though not a prominent man in congress, was appointed on several important committees, such as that to consider the propriety and expediency of augmenting the flying camp; that on the miscarriages in Canada; on certain letters from General Washington; and, the most laborious of all, namely, that charged with the difficult task of preparing a plan of confederation.

There never was, perhaps, an undertaking of greater difficulty, than the formation of the confederacy at that period. Entire harmony, was, at all sacrifices, to be preserved as essential to the possibility of success in the great contest; yet a diversity of sentiments almost boundless, prevailed among the representatives of different interests respecting the details of the intended compact.

The peculiar responsibility of Mr. Stone, in being the only Maryland delegate in the committee, when the sentiments of Maryland were particularly hostile to the measure, unless with the conditions that it was found impossible to obtain from the other states, may easily be appreciated.

The anxiety and trouble occasioned to all, and especially to the committee which had the laborious work of preparation, are strongly portrayed in the letter addressed by congress to the respective states, in order to urge the adoption of the plan, as they had, after infinite compromises, finally arranged the articles.

Notwithstanding the eloquence of their appeal, the state of Maryland refused her assent until the year 1781.

But, to recur to the labours of Mr. Stone, and the rest of the committee, it is remarkable that from the twelfth day of June, 1776, when the committee was selected, consisting of one member from each colony, till the fifteenth day of November, 1777, when the confederation was finally agreed to, the committee were almost constantly occupied in preparing, amending and improving the act which was reported, and referred back again very frequently, and always altered to suit the views of congress, and obviate objections. It was

the subject of debate thirty-nine times, and when concluded, after all this labour, was only an approximation towards the excellent constitution which was framed ten years afterwards.

The convention of the state of Maryland, when the emphasis of the excitement caused by the Declaration of Independence had passed away, recurred to their former jealousy of their delegates in congress; and although it was too late now to restrict them as to measures of hostility towards Great Britain, yet chose to limit their powers as to the formation of a confederation, and also to hint to them the possibility of retracing their steps, and agreeing to an accommodation with the royal government.

The contest for freedom had now gone so far, that it was frequently called a "glorious war"—the Maryland convention still termed it an "unhappy difference," and were anxious to accommodate in on *any terms*, that a majority of congress might be brought to approve.

Mr. Stone was again re-elected in February, 1777, and after serving this tour of duty, and seeing the confederation finally agreed upon in congress, he left this scene of action, declined a re-appointment, and became a member of the Maryland legislature, where the plan of the confederation met with obstinate opposition, and required the aid of all its friends and advocates.

His services in the legislature were important, and in the discharge of his duties there, he was distinguished by the same fidelity, earnestness, and patriotic devotedness, which had been displayed in the course of his previous career. His services in that assembly are thus described by a gentleman who sat with him there :

"He was most truly a perfect man of business; he would often take the pen and commit to paper, all the necessary writings of the senate, and this he would do cheerfully while the other members were amusing themselves with desultory conversation; he appeared to be naturally of an irritable temper, still he was mild and courteous in his general deportment, fond of society and conversation, and universally a favourite from his great good humour and intelligence; he thought and wrote much as a professional man, and as a statesman, on the business before him in those characters; he had no leisure for other subjects: not that he was unequal to the task, for there were few men who could commit their thoughts to paper with more facility or greater strength of argument. There was a severe trial of skill between the senate and the house of delegates, on the subject of confiscating British property. The senate for several sessions unanimously rejected bills passed by the house of delegates

for that purpose; many, very long and tart, were the messages from one to the other body, on this subject; the whole of which, were on the part of the senate, the work of Mr. Stone, and his close friend and equal in all respects, the venerable Charles Carroll of Carrollton."

In 1783, he was again elected to a seat in congress, under the confederation, the adoption of which he had taken so much pains to obtain. He was present at the most interesting event of this period—the resignation of General Washington, at Annapolis; and in the session of 1784, was appointed on most of the important committees of the congress. During the latter part of this year, he acted as president *pro tempore*, but declining a re-election to congress, he lost, by voluntary retirement, the honour of being chosen to preside over that dignified assembly, which would have followed, of course, his temporary occupation of the chair.

From this time, during the short interval before his death, he was actively engaged in professional duties, and continued to serve in the senate of the state, but declined an appointment as a member of the federal convention, which met at Philadelphia in the year 1787, for the purpose of forming the present constitution of the United States.

In 1785, an attempt was made to establish a paper currency as a legal tender for the payment of debts. A bill for this purpose was passed by the house of delegates, but promptly rejected by the senate, of which body Mr. Stone was still a member. An appeal being made to the people, a large majority refused to sanction the project.

At about the same time, Mr. Stone introduced into the senate a bill, drafted by himself, and which he advocated with all his eloquence, abolishing the right of primogeniture as previously existing according to the system of the English law. The bill was enacted by both branches of the legislature, and remains the law of Maryland; but it is remarkable that Mr. Stone made his own will in accordance with the principles of the law that he thus contributed so zealously to abolish.

In the year 1784, after he had finally relinquished his seat in congress and removed to Annapolis, his practice became very lucrative, and his professional reputation rose to very distinguished eminence. He was employed in many very important causes, and his friend, Mr. Chase, always expressed the greatest satisfaction in having his assistance as a colleague in cases of difficulty. As a speaker, his strength lay in argument, rather than in manner. When he began, his voice was weak, and his delivery unimpressive, but as he became

warmed with his subject, his manner improved, and his reasoning was clear and powerful.

He was a man of very strong feelings, and affectionate disposition; and the tenderness of his attachment to his amiable consort, after forming the happiness of a large portion of his life, became the melancholy cause of its early close. In the year 1776, while he was attending to his public duties in congress, Mrs. Stone visited Philadelphia with him, and as the small-pox was then prevalent in that city, it was thought necessary to protect her from it by inoculation. She was accordingly inoculated, and the mercurial treatment, which was then deemed necessary, was pursued. From this time her health gradually declined; and on the first of June, 1787, she died in Annapolis, in her thirty-fourth year. This was a death-blow to Mr. Stone. After this he declined all business, both public and private, except such as he deemed necessary to put his affairs in order. He was brought by his friends to his seat in Charles county, and there, during the summer after Mrs. Stone's decease, every effort was made to enable him to sustain the loss. But he sunk into a deep melancholy, and to the most soothing attentions of his friends he always answered, that he could not survive his wife. Dr. Brown, and Dr. Craick, who were his physicians, finding little amendment in his spirits, after the lapse of some months, advised him to make a sea-voyage. In obedience to their advice, he went to Alexandria to embark for England. While waiting at that place, for the vessel to sail, he expired suddenly, in his forty-fifth year, on the fifth of October, 1787.

Mr. Stone was a member of the Protestant Episcopal church, and a man of sincere and fervent piety. He was in figure tall, thin, and well-proportioned; his complexion pale and sallow. His manners were those of a well-bred man, not marked by ostentation or affected gracefulness, but rather reserved. His countenance, from the constant employment of his mind, wore the appearance of austerity, yet to his friends he was quite accessible. His conversation was generally familiar and instructive. Light and frivolous subjects rarely enjoyed his attention, yet he sometimes relapsed into gay and sportive humours. His disposition was mild, and his heart benevolent. His appearance in early life had promised both health and strength, but his studious and sedentary habits, acquired in boyhood, and continued through life, had impaired a constitution originally vigorous. He was a taciturn man, of strong feelings, and more remarkable for terseness of style than elegance of diction.



CHARLES CARROLL OF CARROLLTON
Baltimore, 1844

CHARLES CARROLL.

CHARLES CARROLL, surnamed of Carrollton, the subject of the present sketch, and the son of Charles Carroll and Elizabeth Brook, was born on the eighth of September, 1737, O. S. (twentieth September, N. S.) at Annapolis, in the state of Maryland.

The father of Charles Carroll of Carrollton, took an active part in the affairs of the provincial government, and in the religious disputes of the times stood prominent as one of the leading and most influential members of the Catholic party in Maryland. The disqualifications and oppression to which the Catholics were subjected, in the early part of the eighteenth century, amounted to a persecution. In this state of things, a large portion of the Catholics of Maryland determined to emigrate, and Charles Carroll, then on a visit to his son in France, applied to the French minister of state, for a grant of land on the Arkansas river, at that time part of the French territory of Louisiana. The extent of the tract demanded, startled the minister as Mr. Carroll pointed to it on the map. He considered it too large to be given to a subject; difficulties were thrown in the way; and Mr. Carroll was obliged, at last, to return to Maryland, without having accomplished his object. Soon after Mr. Carroll's return, the rigour of the laws against the Catholics was relaxed, and they abandoned their intention of emigrating to the West. Charles Carroll died in 1782.

In 1745, Charles Carroll of Carrollton, then eight years old, was taken to the college of English Jesuits at St. Omers, to be educated. Here he remained for six years, and left it to pursue his studies at a college of French Jesuits, at Rheims. After staying one year at Rheims, he was sent to the college of Louis le Grand. From Louis le Grand, Mr. Carroll went, at the expiration of two years, to Bourges, the capital of the province of Berry, to study the civil law; and after remaining there for one year, returned to college at Paris, where he continued until 1757, in which year he visited London, and taking apartments in the Temple, commenced the study

of the law. In 1764, he returned to his native place, during the first discussion of those principles, which being honestly proclaimed, and fearlessly supported, occasioned the war of the revolution. In this discussion, Mr. Carroll took an active part.

Upon the repeal of the stamp act, things settled, in Maryland, into that calm, which always follows violent excitement; and matters of local interest became the chief topics of discussion.

The calm which followed the repeal of the stamp act, continued undisturbed until 1771-72, when the attempt to establish the fees of the civil officers of the province by proclamation, roused again the indignation of the people, and called forth all the talent and energy of the political writers.

Governor Eden having issued a proclamation enjoining all officers to take no other or greater fees than those therein mentioned, it was objected that the exaction of fees was to all intents a tax, and the attempt to levy it an usurpation on the part of the executive. Mr. Carroll was prominent in opposing the proclamation, and succeeded in defeating it. The proclamation was afterwards buried beneath the gallows by the common hangman. Mr. Carroll won great reputation by his contributions to the press upon this subject.

The talent and firmness evinced by Mr. Carroll in this contest, raised him at once to a high station in the confidence of the people; and we find him, during the years 1773-74-75, actively engaged in all the measures which were taken in opposition to the course of Great Britain's colonial policy. From the earliest symptoms of discontent, Mr. Carroll foresaw the issue, and made up his mind to abide it. Once when conversing with Samuel Chase, in 1771, or '72, the latter remarked, "Carroll, we have the better of our opponents; we have completely written them down." "And do you think," Mr. Carroll asked, "that writing will settle the question between us?" "To be sure," replied his companion; "what else can we resort to?" "The bayonet," was the answer. "Our arguments will only raise the feeling of the people to that pitch, when open war will be looked to as the arbiter of the dispute." Some years before the commencement of actual hostilities, Mr. Graves, the brother of Admiral Graves, and then a member of parliament, wrote to Mr. Carroll on the subject of the disturbances in America, laughing at the idea of resistance on the part of the colonies, and declaring that six thousand English soldiers would march from one end of the continent to the other. "So they may," said Mr. Carroll in his answer, "but they will be masters of the spot only on which they encamp. They will

find nought but enemies before and around them. If we are beaten on the plains, we will retreat to our mountains and defy them. Our resources will increase with our difficulties. Necessity will force us to exertion; until, tired of combating, in vain, against a spirit which victory after victory cannot subdue, your armies will evacuate our soil, and your country retire, an immense loser, from the contest.—No, sir,—we have made up our minds to abide the issue of the approaching struggle, and though much blood may be spilt, we have no doubt of ultimate success.” These opinions, openly avowed and supported by Mr. Carroll, on all occasions, cause him to be ranked with the Chase, Paca, and Stone, of Maryland, and considered as one of the popular leaders of the day.

When the brig *Peggy Stewart* imported into Annapolis a quantity of tea, (an article forbidden by the resolution of the delegates of Maryland, June twenty-second, 1774,) the irritated populace, then collected from the neighbouring counties at the provincial court, threatened personal violence to the master and consignees of the vessel, as well as destruction to the cargo. The friends of Mr. Anthony Stewart, the owner of the vessel, applied to Mr. Carroll, as one of the most able to protect him from violence. Mr. Carroll’s advice was concise and determined. “Whatever may be my personal esteem for Mr. Stewart, and my wish to prevent violence, it will not be in my power to protect him, unless he consents to pursue a decisive course of conduct. My advice is, that he set fire to the vessel, and burn her, together with the tea that she contains, to the water’s edge.” The applicants paused for a moment; but they saw no alternative, and Stewart, appearing immediately before the committee, offered to do what Mr. Carroll had proposed. In a few hours afterwards, the brigantine *Peggy Stewart*, with her sails set, and her colours flying, was enveloped in flames, and the immense crowd collected on the shores of the harbour, acknowledged the sufficiency of the satisfaction.

In January, 1775, Mr. Carroll was chosen a member of the first committee of observation that was established in Annapolis, and in the same year he was elected a delegate to represent Anne Arundel county in the provincial convention.

The talents which he had exerted in Maryland, in behalf of the great cause of American liberty, were well known and fully appreciated by the general congress, and in February, 1776, he was appointed a commissioner, with Dr. Franklin and Samuel Chase, to proceed to Canada, to induce the inhabitants of that country to join

the United Provinces in opposition to Great Britain.* The commissioners were instructed to explain to the Canadians the nature of the institutions of the United Provinces, and the principles of the confederation; to urge the natural connexion which subsisted between Canada and the colonies; the mutual interest of both the countries to unite in opposition to tyranny, and the certainty of success from a well-directed use of their conjoined energies; to guarantee such form of government as the Canadians might set up, together with the free and undisturbed exercise of religion; to press the people to have a full representation in convention, to take into consideration the propositions of the United Provinces; to establish a free press; to settle all disputes between the Canadians and continental troops; to sit and vote as members of councils of war for erecting or demolishing fortifications, and to draw on the president, for that purpose, for any sums of money, not exceeding one hundred thousand dollars in the whole; to encourage the trade and commerce of the country; to give credit and circulation to the continental money; and to suspend any military officer, whose conduct, in the opinion of the commissioners, was improper or unjust.

In the resolution of congress, appointing the commissioners, Mr. Carroll is "requested to prevail on Mr. John Carroll to accompany the committee to Canada, to assist them in such matters as they shall think useful." The standing and influence of Mr. John Carroll, as a Catholic clergyman of talents and activity, it was hoped would be of essential service in the accomplishment of the mission, by removing from the minds of a Catholic population all suspicion of interference on religious subjects.†

The committee found many difficulties to contend with on reaching Canada. The ardour which had prevailed among the Canadians in favour of the measure, when the American troops first entered the country, had been damped by the inefficiency of the force employed, and almost wholly destroyed by the defeat and death of Montgomery. The inhabitants became provoked, when the want of regular supplies compelled the continental troops to support themselves by levying contributions on those whom they were sent to assist; and the priests, never, as a body, in favour of the cause, seized the moment of irritation to incense their parishioners against

* Mr. Carroll was not then a member of congress. His education in France, and his distinguished character as a Catholic, no doubt, suggested his appointment on this mission.

† John Carroll was a Jesuit, and the first bishop of the United States. He died December 3, 1815.

the United Colonies. Under these opposing circumstances, the commissioners did every thing that lay in their power. They issued proclamations; they promised privileges; and called upon the people to bear patiently the temporary evils, which, remittances and re-enforcements from congress, would in a short time obviate. For a while, these assurances produced some effect: but the continuance of the causes of dissatisfaction; the want of specie, clothing and provisions; the disorder and sickness prevailing among the American troops, and their total inadequacy to the object for which they entered Canada, again occasioned murmurs among the inhabitants, and finally alienated their affections from the United Colonies. After remaining in Canada as long as there was a prospect of being useful, the commissioners returned to Philadelphia; and on the twelfth of June, 1776, a few days after their arrival, presented the written report of their proceedings to the congress then in session.

Mr. Carroll returned from Canada during the discussion in congress of the "Subject of Independence." But he found the representatives of his native state shackled with instructions, "to disavow in the most solemn manner, all design in the colonies of independence."

On reaching Annapolis, Mr. Carroll resumed his seat in the convention, and advocated the withdrawal of the instructions of December, 1775, and the substitution of others in their stead, empowering the delegates in congress "to concur with the other United Colonies, or a majority of them, in declaring the United Colonies free and independent states." By the most strenuous exertions he succeeded; the old instructions were withdrawn, and new instructions were given, containing the powers proposed by Mr. Carroll; and, on the second of July, 1776, the delegates of Maryland found themselves authorized to vote for independence.

The zealous and active part taken by Mr. Carroll in procuring the instructions of June twenty-eighth, was the cause of his immediate appointment as a delegate from Maryland to the general congress; and on the fourth of July, 1776, when a new appointment of delegates was made by the convention, we find Mr. Carroll's name on the list, for the first time. The important business then before the convention, detained Mr. Carroll for some days in Annapolis, after his appointment; and on the sixth of July, he had the satisfaction of seeing the declaration of the convention of Maryland published to the world. This being, in part, the consequence of the new instructions, well deserves mention in the story of Mr. Carroll's

life, as a measure in the accomplishment of which he bore a distinguished part.

On the eighteenth of July, the credentials of the new appointment of delegates from Maryland to the general congress, was received by that body, and Mr. Carroll, on the same day, took his seat as a member.

Although Mr. Carroll did not vote on the question of independence, yet he was among the earliest of those who affixed their signatures to its declaration. The printed journals of congress, indeed, make it appear, that the Declaration of Independence was adopted and signed on the fourth of July, by the gentlemen whose names are subscribed to it under the head of that date. But this impression is incorrect; because, in fact not one signature was affixed to the Declaration until the second of August. The idea of signing does not appear to have occurred immediately; for not until the nineteenth of July, as will appear by reference to the secret journals, did the resolution pass, directing the Declaration to be engrossed on parchment. This was accordingly done; and on the second of August following, when the engrossed copy was prepared, *and not before*, the Declaration was signed by the members, who on that day were present in congress. Among these was Mr. Carroll. Those members who were absent on the second of August, subscribed the Declaration as soon after as opportunity offered.

The engrossed copy of the Declaration of Independence was placed on the desk of the secretary of congress, on the second of August, to receive the signatures of the members, and Mr. Hancock, president of congress, during a conversation with Mr. Carroll, asked him if he would sign it. "Most willingly," was the reply, and taking a pen, he at once put his name to the instrument. "There goes a few millions," said one of those who stood by; and all present at the time agreed, that in point of fortune, few risked more than Charles Carroll of Carrollton.

A resolution having passed on the eighteenth of July, "that another member be added to the board of war," Mr. Carroll was appointed, and continued actively engaged in its arduous duties while he remained in congress.

All the time that Mr. Carroll could spare from his duties in congress, he gave to the convention of Maryland, in which he still retained his seat; and in the latter part of 1776, was one of the committee appointed to draught the constitution of that state. In December, 1776, he was chosen to the senate of Maryland, being

the first senate under the new constitution; and in February, 1777, he was re-appointed a delegate to congress by the general assembly.

Mr. Carroll continued in congress until the year 1778, when the treaty with France, removing from his mind all doubt as to the ultimate success of the war of the revolution, and his duty as a senator of Maryland requiring his attendance in Annapolis, he resigned his seat, and for the future devoted himself to the local politics of his native state. In the year 1781, he was re-elected to the senate of Maryland, in which he had already served five years; and in December, 1788, was chosen representative of Maryland in the senate of the United States, immediately after the adoption of the federal constitution.

Congress then held its sessions in New York, whither Mr. Carroll repaired soon after his election, and took an active part in the business and discussions of the day, always adhering to, and strongly supporting, the federal party.

In 1791, Mr. Carroll vacated his seat in the senate of the United States, and in the same year was once more chosen to the senate of Maryland. In 1796, he was again re-elected and in 1797, was one of the commissioners appointed to settle the boundary line between Virginia and Maryland. Mr. Carroll continued an active member of the senate of his native state until 1804, when the democratic party carried their ticket, and he was left out. In the year last mentioned, he retired from public life, after having been a member of the first committees of observation, twice in the convention of Maryland, twice appointed delegate to congress, once chosen representative to the senate of the United States, and four times elected a senator of Maryland.

We have now reached the termination of Mr. Carroll's public life, in his sixty-third year, and see him retiring among his fellow citizens to the quiet enjoyments of his family circle. His life from 1801 up to its close affords few materials for a biography. It glided along, in all the tranquil happiness which the full enjoyment of every faculty, the recollection of past honours, the possession of a large fortune, the affection and attention of children and grandchildren, and the respect of his countrymen, could bestow.

"Like the books of the Sybil, the living signers of the Declaration of Independence increased in value as they diminished in number." On the third of July, 1826, three only remained—John Adams, Thomas Jefferson, and Charles Carroll of Carrollton. On the fourth of July, 1826, the fiftieth anniversary of the day on

which they pledged their all to their country, when the ten millions who were indebted to them for liberty, were celebrating the year of jubilee; when the names of the three signers were on every lip, John Adams and Thomas Jefferson died, leaving Charles Carroll of Carrollton the last link between the past and present generations.*

During thirty years passed in public life, embracing the most eventful period of the history of the United States, Mr. Carroll, as a politician was quick to decide, and prompt to execute. His measures were open and energetic, and he was more inclined to exceed than to fall short of the end which he proposed. As a speaker, he was concise and animated; the advantages of travel and society made him graceful; books, habits of study, and acute observation made him impressive and instructive. As a writer he was remarkably dignified; his arrangement was regular; his style was full, without being diffuse, and, though highly argumentative, was prevented from being dull by the vein of polite learning which was visible throughout.

In person Mr. Carroll was slight, and rather below the middle size. His face was strongly marked; his eye was quick and piercing, and his whole countenance expressive of energy and determination. His manners were easy, affable, and graceful; and in all the elegances and observances of polite society, few men were his superiors.

* On the fourteenth of November, 1832, Charles Carroll of Carrollton, the last of the signers, full of years and full of honours, closed his earthly career. A nation's tears were shed upon his grave; a nation's gratitude hallows his memory.



RES. OF GEORGE WYTHE
Williamsburgh Va



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THE following account of Mr. WYTHE is much less circumstantial than is required by the dignity of the subject. The most important actions of his public life are so blended with the general history of the country, and his name so conjoined with the other patriots of the revolution, as to admit very little distinct or particular detail. Of his private and domestic transactions, he has himself left no remembrance; and his friends, by whose aid we hoped to supply the deficiency, appear to have postponed this principal object, to indulge in expressions of affection for his memory, and have furnished us rather a panegyric, than a history of his life.

GEORGE WYTHE was born in the year 1726, in the county of Elizabeth City, on the shores of the Chesapeake, in the then colony of Virginia. He was descended from a respectable family, and inherited from his father, who was a farmer, an estate amply sufficient for all the purposes of ease and independence. His mother was a woman of great strength of mind, and of singular learning; amongst other acquirements, she possessed an accurate knowledge of the Latin language, and under her tuition he received the rudiments of his education.

The instructions which he received at school, by some unaccountable negligence, were extremely limited; being confined to mere reading and writing the English language, with a very superficial knowledge of arithmetic. But his powerful mind, exerting its own efforts, soon supplied his defect of scholastic education; for, with the sole assistance afforded by his mother, he became one of the most accomplished Latin and Greek scholars of his country; and, by his unaided exertions, attained a very honourable proficiency in other branches of learning. To grammar, rhetoric, and logic, which he is said to have studied with great success, he added, at an early age, an extensive acquaintance with civil law; a profound knowledge of mathematics, as well as of natural and moral philosophy.

Of these various attainments, so honourable to his industry and

genius, much of the merit, no doubt very justly, is ascribed to the affectionate and tender zeal of his mother: it is related that she not only taught him the Latin, but assisted also his acquisition of the Greek, though altogether unacquainted with that language; uniting for this purpose, in his studies, and by inspecting an English version of the works which he read, enabling herself to aid his progress, and to ascertain the accuracy of his translations.

Of this excellent mother he was bereaved during his minority. He lost also, near the same time, his father, of whom there is given a very amiable character for simplicity and candour of behaviour, parental tenderness, and for prudence in the management of his fortune. Being thus in the possession of money, and exposed, in the luxuriance of youthful passions, to the seductions of pleasure, he suspended during several years, all useful study, and spent his whole time in idle amusements and dissipation. But to whatever levities he may have been betrayed, it is evident from the subsequent events of his life, that his principles of honour remained uncorrupted. When he had attained his thirtieth year, he shook off all these youthful follies, and employed himself in the most indefatigable study; and from this period till the close of his life, protracted to the length of eighty years, lived in the practice of the most rigid and inflexible virtue.

To his friends he often expressed the deepest regret that so many years of time had thus been irretrievably lost to him; and when we reflect on the many splendid monuments of his wisdom, and patriotic devotion to the best interests of his country, which have given him an imperishable name in her records, an instructive lesson may be drawn from his generous repentance.

He studied the profession of the law under the direction of Mr. John Lewis, an eminent practitioner; and at an early period was called to the bar of the general court, then filled by men of great eminence and ability in their profession. He quickly arrived at the head of the bar.

As a lawyer, the character of Wythe bears the severest scrutiny. In his hands the dignity of the profession was never prostrated to the support of an unjust cause: in this he was so scrupulous, that where doubts were entertained of the truth of his clients' statements, he even required the solemnity of an oath previous to his defence; and if deception was in any manner practised upon him, the fee was returned, and the cause abandoned. Such disinterestedness procured him universal esteem; and as he was no less dis-

tinguished by correctness and purity of conduct in his profession, than by his great learning, and his industry and fidelity to those who employed him; promotion succeeded confidence; and on the organization of the new government, he was invested with the most considerable judicial rank which his country could bestow upon him. As chancellor of Virginia, he continued to dispense the most exact justice until the day of his death.

Early in life he was elected to represent his native county in the house of burgesses; of which he continued a member until the dawn of the revolution.

On the fourteenth of November, 1764, he was appointed a member of a committee of the house of burgesses, to prepare and report a petition to the king; a memorial to the house of lords, and a remonstrance to the house of commons on the subject of the proposed stamp act. The latter paper was drawn up by Wythe, and following his own principles, his language was that of boldness and truth, going far beyond the timid hesitations of his colleagues, who viewed it as bordering on treason, consequently his draft was subjected to many material modifications. These documents were reported on the eighteenth of December, and after much warm debate and considerable amendments tending to soften the asperity of complaint, received the concurrence of council.

From the general tenor of these papers, it is obvious that revolutionary opposition to the regal government was not then intended. Remonstrance alone was designed, and the colonies looked with anxiety to the parent country for favourable replies to most dutiful petitions; but remonstrance was ineffectual, and in January, 1765, the stamp act was passed, to have operation from the first of November following. The promulgation of this law soon diffused a spirit of discontent and opposition through America, and brought the abilities of her patriots and heroes into more conspicuous notice.

In Virginia, the house of burgesses had received an extraordinary acquisition in the person of one of its young members, the celebrated Patrick Henry. Henry was one of the most fascinating orators of modern times: his patriotism, like that of most of his associates in public life, was of the purest kind; and in consequence of his great exertions in the house of burgesses; by the marked intrepidity of his conduct; by the fire of his matchless eloquence, the American revolution presented its first determined front, in the boldest opposition to the hateful law.

A few days previous to the close of the session, in May, 1765,

resolutions were offered to the consideration of the house by Mr. Henry, asserting, in the most spirited style, the rights of the colonists, alleging that the legislature of Virginia had the sole and exclusive power of taxing its citizens.

These resolutions created an extraordinary alarm in the house, and the most violent debates ensued. Not only were they opposed by the advocates of the measures of the royal government, and by the aristocracy of the state, but even some of the warmest friends of American independence endeavoured to prevent their adoption. Among the latter we find Wythe. Their opposition was, however, not founded on any difference of principle, but because the petition, memorial, and remonstrance of the preceding session had already expressed the same sentiments, and made the same assertions of right; and answers to those documents were yet to be expected. Notwithstanding the daring language of the resolutions, the opposition of the ministerial party in the house, and the dread of the best friends of our liberties, of plunging the colony unprepared, feeble, and without defence, into hostility with Great Britain, the bold and sublime eloquence of Henry achieved a victory. The resolutions were all adopted after some immaterial alterations in each of them; but the fifth, and strongest, was passed by a majority of a single vote. Henry did not attend the sitting of the following day, and then, the alarm of a majority of burgesses, caused them by a timid vote to expunge the fifth resolution from the journals.

During the session of 1768, Wythe was a member of the house of burgesses, in which he held a prominent station, when the famous resolutions were adopted, by which Virginia asserted in determined language, her exclusive right of taxation, in all cases whatsoever; complained of the violation of the British constitution, by recent acts of parliament; and firmly remonstrated against the oppression of holding trials in England, on persons, for offences committed in the colonies.

The dissolution of the house, did not produce any effect favourable to the royal cause. The same members, without any exception, were returned, and the spirit of resistance increased in strength. Wythe, as a member of the house, was bold and determined in the position he had taken. On the one hand, the liberties of his country were threatened; and on the other, his character, nay, his life itself was placed in danger. But no human consideration was equivalent to his love of liberty and fidelity to his country.

Thomas Jefferson had been the pupil of Wythe, and under his

auspices, was introduced to the bar. The sentiments of the friend and counsellor, which were instilled by instruction and example, were exhibited to the world in the "Summary View of the Rights of British America:" and now in the same venerable public body, the preceptor and pupil stood forth as vindicators of the rights and privileges of their injured countrymen, and as undeviating advocates of that system of government, which has since been so happily established.

From this time until 1775, Wythe continued his unabated exertions in favour of independence. On the first rising of the colonists, he joined a corps of volunteers, and evinced his promptness to support the cause which he had advocated in the senate, by a resort to arms in the field. But his country, at this important period, required the united talents of her ablest statesmen; and in August, 1775, he was appointed one of the delegates from his native state, to that congress, which, in the succeeding year, declared the independence of America.

In consequence of this great change in the form of government, and in order to strengthen and confirm the principles of the revolution, the house of assembly of Virginia, by a resolution of the fifth of November, 1776, appointed Thomas Jefferson, Edmond Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee, a committee to revise the laws of the state, with such alterations as the change in the form and principles of the government, and other circumstances required. So industrious were Jefferson, Pendleton, and Wythe, in this great work of legislation, that on the eighteenth of June, 1779, one hundred and twenty-six bills were prepared, and reported to the general assembly.

Of this extensive work of legislation, Wythe executed the revision of those laws which had been enacted during the period commencing with the revolution in England, and ending with the establishment of the new government here, except the acts for regulating descents, for religious freedom, and for proportioning crimes and punishments, which were part of the labours of Mr. Jefferson.

In 1777, the distinguished learning of Wythe in parliamentary law and proceedings, caused him to be chosen speaker of the house of delegates; towards the close of the same year, he was appointed one of the three judges of the high court of chancery of Virginia: and on the subsequent change in the organization of the court of equity, was constituted sole chancellor; which high station he filled with the strictest integrity for more than twenty years. Whilst in

this office he published a collection of Chancery Reports, which, by legal characters, are held in high estimation.

Chancellor Wythe was the first judge who decided that the claims of English merchants and other individuals previous to and during the revolution, were recoverable, and such decisions was given in cases where the state of Virginia was a party. The firmness of the judge in resisting the torrent of popular prejudice, is not the less to be commended because mere duty was performed; a new and important question had arisen—the complainant was an alien, a late enemy; the respondent was a commonwealth: the judge an officer of the respondent's creating; the current of opinion set against the legality of the claim, and a nation awaited the decision of the court of equity.

George Wythe, living, was the fountain of justice—dead, his spotless integrity has erected him a durable monument in the memory of his countrymen.

Wythe had suffered much during the revolution in his pecuniary circumstances. Not only did he devote his time and property to the public service, but the greater part of his slaves which he inherited from his father, was carried over to the enemy by the dishonest manager of his Hampton estate. His immediate relatives, however, benefitted during his life by his generosity. One half of his estate in Elizabeth City he settled on his nephew, and of the remaining part, being sold, the payment of the purchase money was protracted during many years. Thus his resources were limited, and although his salary as chancellor did not exceed three hundred pounds per annum, by economy and judicious management, he discharged his debts, preserved his independence, and was enabled, besides, to perform many conspicuous and estimable actions of private charity. The professorship of law, in the college of William and Mary, for some time gave him an additional income; but the arduous duties of chancellor, induced him, on his removal to the city of Richmond, to vacate the chair.

In December, 1786, he was selected by the legislature, together with Washington, Henry, Randolph, Blair, Madison and Mason, as delegates to meet the proposed convention, to revise the federal constitution. His country never losing sight of his distinguished patriotism and abilities, when occasion required his services, we again find him a conspicuous member of the great public body assembled at Richmond, in 1787, to take into view the adoption or rejection of the lately framed constitution of the United States.

Subsequently, he was twice a member of the presidential electoral college of Virginia, and presided with great distinction and applause over its meetings.

Amidst all his public services, throughout all his private life, the devotion of Wythe to his country, his scrupulous discharge of the duties of his office, and his universal benevolence of disposition, were eminently apparent. Some of the greatest luminaries at the bar, and in the senate, that Virginia has produced, were instructed in science and led up to the steep of Fame by George Wythe. In the list of his pupils we may enumerate two presidents of the United States, a chief justice, and others, who by their abilities and virtues are entitled to the most distinguished honours of their country. Not confining his efforts to those situations in which duty impelled him to exercise the great faculties of his mind for the public advantage, his active philanthropy induced him to institute a private school, in which his great pleasure was to impart instruction to such young persons as wished for improvement: demanding no compensation, his reward was found in virtuously educating republican citizens, who would transmit to posterity the pure principles of the venerable sage and statesman.

In emancipating his slaves, Wythe did not cast them on the world friendless and needy; he gave them sufficient to free them from want, and his own example had taught them industrious habits. He had also carried his benevolent disposition to the extent of imparting instructions to a negro boy, whom he had taught the Latin and Greek languages, and who was considerably advanced in science, but unfortunately died a few days before his benefactor. An unassuming modesty, a simplicity of manners, and a general equanimity of temper, were his distinguishing personal characteristics throughout life. It was his daily endeavour to live a Christian, and he effectually succeeded.

His long life of public usefulness was closed, in exhibiting an additional proof of fervent devotion to the interests of the community. Tortured on the bed of death, with agonies produced by poison taken in some portion of his aliment, he was immersed in the study of cases, yet pending in his court; regretting, as long as his senses continued, the delay and consequent expense which would be incurred by the parties, should his illness prove fatal. He died in the midst of this benevolent anxiety, on the eighth of June, 1806, in the eighty-first year of his age.

In his death, Virginia mourned one of her most favoured sons

but the cause of his sudden loss spread an additional gloom over the darkness of her grief. No doubt remained of his death being produced by violence, and suspicion fell upon one, who, if guilty, would have added the blackest ingratitude to the most detestable of crimes.

By his last will he bequeathes a great part of his property in trust, to support his three freed negroes, a woman, a man and a boy, during their lives; after several legacies, particularly one, "of his books and philosophical apparatus, to his valued friend Thomas Jefferson, president of the United States," the remainder of his estate is devised to George Wythe Sweney, the grandson of his sister.

During the lifetime of Wythe, his freedman died, and by a codicil to the will, the legacy to the freedboy is increased, with a provision, that if he should die before his full age, the bequest to him should enure to the benefit of Sweney, the residuary legatee.

A few days before the death of Wythe, a second codicil is dated; in this instrument the freedboy is mentioned as having "died this morning:"—all the devises to George Wythe Sweney are revoked, and the whole of the chancellor's estate is left to the other grandchildren of his sister, the brothers and sisters of Sweney, to be equally divided between them.

The sudden death of the negro boy; the revocation of the former devises; the suspicions of the community, fatally confirmed by the death of Wythe himself, all tend to the conclusion that poison was introduced amongst the provisions of the household. The residuary legatee of the first will, submitted to a public trial, on the charge of poisoning his uncle and freedboy: an acquittal by a jury has caused a veil to be dropped over the transaction revolting to humanity; and the solemn decision of a criminal court, has shown to the world, that although the lamented Wythe died by poison, yet legal certainty cannot be attached to his murderer.

He had been twice married; he had one child, which died in infancy, and no issue survived him.

Mr. Jefferson, to whom we are indebted for some of the facts of the preceding narrative, has thus drawn the portrait of the instructor of his youth, the friend of his age, and his compatriot through life.

"No man ever left behind him a character more venerated than George Wythe. His virtue was of the purest kind; his integrity inflexible, and his justice exact; of warm patriotism, and devoted

as he was to liberty, and the natural and equal rights of men, he might truly be called the Cato of his country, without the avarice of the Roman; for a more disinterested person never lived. Temperance and regularity in all his habits, gave him general good health, and his unaffected modesty and suavity of manners endeared him to every one. He was of easy elocution, his language chaste, methodical in the arrangement of his matter, learned and logical in the use of it, and of great urbanity in debate. Not quick of apprehension, but with a little time, profound in penetration, and sound in conclusion. In his philosophy he was firm, and neither troubling, nor perhaps trusting any one with his religious creed, he left to the world the conclusion, that that religion must be good which could produce a life of such exemplary virtue.

“His stature was of the middle size, well formed and proportioned, and the features of his face, manly, comely, and engaging. Such was George Wythe, the honour of his own, and model of future times.”

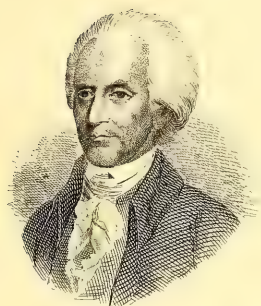
RICHARD HENRY LEE

To censure a just pride of ancestry would be to lessen the incentives of virtue; and since he who was the idol of a people's worship has declared, even when holding up to scorn the folly of aristocracy, "that the glory of our forefathers is a light to their posterity," it may be permitted to observe, that RICHARD HENRY LEE traces his descent from one of the most ancient and distinguished families in Virginia.

To RICHARD HENRY LEE, who was born on the twentieth of January, 1732, in Westmoreland county, Virginia, seems to have descended an hereditary care of his native state, for his maternal grandfather and uncle, held with credit to themselves and advantage to their country, seats in the king's council, of which his father was president, and his great grandfather in that line, was Governor Ludwell, of North Carolina.

Fashion prompted, or necessity urged, in the infancy of the colony, such as could afford the expense, to send their children to England to be educated. Wakefield in Yorkshire, then a flourishing school, was selected for Mr. Lee. The classic pursuits and chaste style of Mr. Lee in after life, may give a favourable opinion of his docility and talent. To studies calculated to form the character of a firm patriot, an enlightened statesman and an elegant scholar was his attention devoted, free from the restrictions which professional duties impose.

Ethics, in its most extensive meaning, and the philosophy of history were his favourite pursuits; the manuscript systems of which, compiled from his reading, or deduced from his own thoughts, are yet in existence to prove the force of his intellect, the closeness of his application, and the depth of his research, by the judicious views and lucid arrangement which these extensive notes of study exhibit. In the retirement of his brother's family, where he had access to a well-chosen library, these were composed with persevering industry, between the time of his return from school in his nineteenth



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year, and that period when the cries of the frontier settlers, under the tomahawk and scalping knife of the Indians, pierced the hearts of the Virginians in the low countries, and the volunteers of Westmoreland invited him to lead them to protect the living and avenge the dead; this was in his twenty-third year.

Mr. Lee led the troops of his native county to General Braddock, and tendered his own services with those of the gallant band who had volunteered in the cause of their country; but the blind courage of Braddock could not see that their assistance was necessary, or his insolent contempt of *provincials*, induced the belief that it would be useless; his death in the first battle was the forfeit of his presumption or his ignorance, while Mr. Lee returned to his home, and to those civil duties which have given him a place in history, and his name to the remotest posterity.

In 1757, Mr. Lee was appointed justice of the peace for the county; but his election to the house of burgesses, which happened in the same year, was derived from a more legitimate source of power. The petition of the other magistrates to the governor, praying that the commission of Richard Henry Lee might be so dated as to permit his election to the office of president of the court before the time which his appointment legally allowed, proves, if not his fitness for office, their conviction that he had discharged his duty in an efficient and satisfactory manner.

Want of confidence, induced by philosophic research and solitary study, or dissatisfaction, from the manner in which business was done in the house of burgesses, retarded Mr. Lee's advancement as an orator or leader of a party, but not his progress in knowledge or his attention to the interests of his constituents. He remained in the house of burgesses till conflict with his colleagues removed his natural diffidence, till the strength of his mind was excited by the important duties of his station, and he acquired for himself the well-merited title of the Cicero of America.

The first debate in which he took an active part, was on the limitation of slavery. The classic purity, conciseness, and strength of argument which this speech exhibits, may justify, perhaps, the introduction of a few passages. Mr. Lee thus addressed the speaker against slavery and the slave trade:

"As the consequences, sir, of the determination which we must make in the subject of this day's debate, will greatly affect posterity as well as ourselves, it surely merits our most serious attention. If this be bestowed, it will appear both from reason and experience,

that the importation of slaves into this colony has been, and will be attended with effects dangerous to our political and moral interest. When it is observed that some of our neighbouring colonies, though much later than ourselves in point of settlement, are now far before us in improvement, to what, sir, can we attribute this strange but unhappy truth? The reason seems to be this, that with their whites, they import arts and agriculture, while we with our blacks, exclude both. Nature has not particularly favoured them with superior fertility of soil, nor do they enjoy more of the sun's cheering influence, yet greatly have they oustript us.

"Were not this sufficient, sir, let us reflect on our dangerous vicinity to a powerful neighbour; and that slaves, from the nature of their situation, can never feel an interest in our cause, because they see us enjoying every privilege and luxury, and find security established, not for them, but for others; and because they observe their masters in possession of liberty which is denied to them, they and their posterity being subject for ever to the most abject and mortifying slavery. Such people must be natural enemies, and consequently their increase dangerous to the society in which they live.

"I have seen it observed by a great writer, that Christianity, by introducing into Europe the truest principles of humanity, universal benevolence, and brotherly love, had happily abolished civil slavery. Let us, who profess the same religion, practise its precepts, and by agreeing to this duty, convince the world that we know and practise our true interests, and that we pay a proper regard to the dictates of justice and humanity."

At the earliest manifestation on the part of Great Britain to extend over the colonies the prerogative of taxation without representation, Mr. Lee entered vigorously into every measure of opposition. The address to the king on the Declaratory Act, the memorial, and the remonstrance to both houses of parliament, proclaimed to the British ministry the feelings of the colony of Virginia. The whole subject was brought before the house of burgesses by Richard Henry Lee, and he was on the committee to prepare these two documents; for the two first, his country is indebted to his pen, as the manuscripts in possession of his family prove.

Early in the session of 1765, the celebrated Patrick Henry, whom we have noticed more fully in a preceding biography, proposed the celebrated resolutions against the stamp act, which are there inserted. At the time, Mr. Lee had not reached the seat of govern-

ment; he came, however, soon enough to support them in the discussion; and it was by their united exertions that these resolutions were carried, in opposition to the timidity of some, and the resistance of others, whom corruption or perverted judgment blinded to their country's welfare.

The boldness and enterprising spirit of these great men were equal; their application to business and indefatigable industry were not, as they too often are, the handmaids of ambition, or the result of their lust of power. With equal lustre, these twin brothers of liberty shone amid the darkness of danger, and the horrors of war, cheering and guiding their country through seas of difficulty and peril, to freedom and to glory. Men knew not which most to admire in the debate—the overwhelming might of the one, or the resistless persuasion of the other; nor would it be possible now to fix with precision the amount of the debt of gratitude which is due to them, not only from their native state, but from the whole Union.

In the arduous task which Mr. Lee proposed to himself of breaking down that wall which, in Virginia, had hitherto divided the patricians from the people, no mode more effectual offered, than to unite his fellow citizens in one association, bound together by their hatred of the chain which tyrannical power had cast around them. This he performed; and men of all parties in Westmoreland county united to oppose the stamp act, binding themselves to each other, to God, and their country, to resist that abject and detestable slavery.

But their opposition was not confined to words: for, soon after the formation of this society, Mr. Lee having heard that one of his fellow citizens was sufficiently abandoned in principle to accept an office under such an act, so offensive to the people, so destructive of their rights, summoned the association, and leading them to the residence of the collector, compelled him to give up the stamped paper in his possession, to destroy his commission, and to swear that thenceforth he would not be instrumental in the distribution of stamps.

While we approve the measures of Mr. Lee, and acknowledge that he had a mind to conceive and patience to execute the most arduous designs, may it not be thought that disappointed ambition mingling with, may have tainted purer motives, since it is known that he was an unsuccessful candidate for the situation of collector of stamp duties? Such a charge was brought by those who sought to weaken the efficacy, by impugning the motives of his opposition to tyranny; and he found it necessary to state in the Virginia Gazette,

that an offer had been made to him by a friend, which he promised to accept; but a few days' deliberation convinced him of the consequences of the measure to his country, and, therefore, he forwarded no duplicate of his letter, but pursued such a course before the appointment was made, as effectually prevented his nomination.

The resistance of the colonies made it impossible to execute the stamp act; the failure of the revenue expected from it, exposed even to the English its illegality; so that when the personal feelings of the king removed its supporters from his councils, the new administration lessened the difficulties of their station, without impairing their popularity, by a repeal of the odious measure. Mr. Lee joined in the general joy of his countrymen, but was not satisfied; for the repeal was accompanied with a clause, declaring the power of parliament to bind the colonies.

The domestic politics of Virginia, at this season, were not without difficulty. The dangerous influence of the treasurer in the house of burgesses, were increased by the fact that he also occupied the situation of speaker. The consequences of the union of these two offices in the same person were apparent to all; but to effect their separation, the combined energies of the patriotic party were necessary—directed by Mr. Lee, and supported by Mr. Henry. The motion of Mr. Lee, "that they be now separated and filled by different persons," was advocated by Patrick Henry, and vigorously opposed by the royal party; but it finally brought power to the patriots, and security to the colony.

Mr. Lee was early and correctly informed of the proceedings of the British parliament, and promptly acted on his information. The disobedience of New York to the law for the "quartering of the military," and the consequent suspension of its legislative assembly, hastened the crisis, and convinced all men of intelligence that the union of the colonies offered the only chance of safety. To this outrage on the rights of freemen, temperate remonstrance was first opposed; and the address to the king was moved in the house of burgesses, and written by Mr. Lee, stating the grievances under which the colonies laboured in consequence of the laws for imposing duties on tea, for the quartering of the soldiery, and praying redress.

Massachusetts and Virginia, knowing the powerful influence of corresponding societies, contend each for the honour of having first established them, "to watch the conduct of the British parliament, to spread more widely correct information on topics connected with the interests of the colonies, and to form a closer union of the men

of influence in each." There can be no doubt that several years before this circumstance, the plan had been formed and matured by Mr. Lee; this is evident from a letter of his to John Dickenson of Pennsylvania, and from the verbal testimony of Colonel Gadsden of South Carolina, who stated that in the year 1768 he had been invited by Mr. Lee to become a member of a corresponding society, "the object of which was, to obtain a mutual pledge from the members to write for the public journals or papers of their respective colonies, and to converse with, and inform the people on the subject of their rights and wrongs, and upon all seasonable occasions, to impress upon their minds the necessity of a struggle with Great Britain for the ultimate establishment of independence."

The event alone, and the glorious termination of the contest, could not shield from the charge of rashness or wild ambition, Mr. Lee's scheme of severing from the parent stem the flourishing scion, before a certainty that it had yet spread its roots sufficiently wide to imbibe its own nourishment; for it is known that the issue is often directed by a power beyond our control, which consults better for us than we for ourselves. But the letters of his brother, Dr. Arthur Lee, convinced him of the necessity there was for making a choice, and his countrymen will approve the conduct of him who chose the probability of achieving liberty at the risk of life, before the inevitable certainty of abject and degrading slavery. Dr. Lee, then in England, wrote to him in 1768 as follows: "once more let me remind you that no confidence is to be reposed in the justice or mercy of Britain, and that American liberty must be entirely of American fabric." On such assurances from one so competent to form a correct opinion, aided by his own deductions from the course of events, the fixed resolution of Mr. Lee to propose the independence of his country might have been characterized as virtuous and prudent.

Early in the session of 1769, Mr. Lee called the attention of the house of burgesses of Virginia to the late acts of the British parliament. His resolutions in opposition to the assumed right to bind the colonies, were characterized by some as the overflowings of a seditious and disloyal madness, and produced the dissolution of the house; but not until he had as chairman of a committee on the judiciary and internal relations, brought in his report recommending the improvement of the navigation of the Potomac as high as Fort Cumberland, thus evincing not only devotion to the cause of his country, but a deep penetration into her best interests.

The dissolution of the house of burgesses concentrated the opposition to the English ministry; the members having met in a private house, recommended their fellow citizens to refrain from the luxuries, and even necessities of life, if any of these were not the productions of their native land. Their advice operated as a law: non-importation societies spread over the colony, which religiously observed, and rigorously enforced, the necessary restrictions.

Mr. Lee was not deceived by the calm intervals of hope, which some of our countrymen permitted themselves to enjoy, during the years 1770, and 1771. He persevered in the course which he had marked out for himself, and by widely extending his correspondence, spread that information which the vigilance of his brother furnished.

Trial by jury, although in the hands of the deputies of kings, it may be often an engine of oppression—is too unwieldly to be used for this purpose, if other means can be applied. The English ministry knowing this, and the sentiments of the people of America, did not believe, that among them, this glorious bulwark of liberty could be turned against herself: hence they sought to substitute for it the forms of the civil law, by extending the jurisdiction of the courts of admiralty. The act for this purpose passed the British parliament in 1772, and immediately on the meeting of the house of burgesses, Mr. Lee, in opposition to this unconstitutional measure, proposed to address an humble petition to his majesty; which, after reciting the grievances of his faithful subjects, should pray, “that he would be most graciously pleased to recommend the repeal of the acts passed for the purpose of raising a revenue in America, and for subjecting American property to the determination of admiralty courts, where the constitutional trial by jury is not permitted.”

While many, during the following year, 1773, listened with melancholy attention to the rumours spread abroad, in consequence of the burning, at Providence, of the *Gaspie* schooner, and the threatening aspect which the court of inquiry assumed, Mr. Lee only sought accurate information on the subject. For this purpose, he commenced a correspondence with the intrepid patriot Samuel Adams, which they afterwards continued, having been appointed by the legislatures of their respective states, members of committees on this subject. This correspondence exhibits so much dignified resentment, and firm determination, united with dispassionate observation and calm reasoning, as would obtain for it, even from the enemies of America, respect and consideration.

Lord North, the king's minister, suffered no passion to divert, no pursuit of pleasure to withdraw him from his deliberate design of destroying the liberties of this country. Plausible, deep, and treacherous, he caused the duty acts to be so far repealed, as would have imposed on the patriots of America a perplexing alternative, civil war for a trifling amount of taxes, or submission to a precedent of destructive tendency, had not the opposition of the inhabitants of Boston to the modified duty bill, taken the ministry by surprise, and caused them in their wrathful impatience to propose, and the parliament to enact, a new and unheard of punishment, very disproportionate to the offence.

The first intelligence of this violent measure of the parliament was received by Mr. Lee, from his brother Dr. Arthur Lee, then in London, while the house of burgesses was in session; the resolution of the house to spend the day on which this act was to take effect, as a day of fasting, humiliation and prayer, caused the governor again to dissolve it. Mr. Lee proposed that the members of the house should assemble, and as representatives of the people, recommend the meeting of a general congress. They met: but the majority possessing less ardour, or as they thought, less rashness than Mr. Lee, pursued a more dilatory course. An address to the people was drawn up by Mr. Lee, and approved by the meeting, recommending the committee of correspondence to obtain the sentiments of the other colonies on the expediency of a meeting of deputies, "to deliberate on those general measures which the united interests of America may from time to time require." The meeting then adjourned till the first day of August.

An incursion of the Indians, on the frontiers of Virginia, furnished a cause or afforded a pretext to the governor, for summoning a new house of burgesses. He, therefore, issued writs for a new house, returnable on the eleventh of August, thus offering to the representatives an opportunity of meeting in the usual manner. He was, however disappointed; for he saw the most distinguished men in the colony meet, at the call of the people, on the first of August, 1774, to compose the first assembly of Virginia.

After having advocated in this assembly his favourite measure with all the fervour of his nature and the power of his eloquence, Mr. Lee had the gratification to be deputed by it, with Washington and Henry, as delegates to a continental congress. This august body met at Philadelphia, on the fifth of September, 1774. It is said that silence, awful and protracted, preceded "the breaking of

the last seal" in this assembly, and that astonishment and applause filled the house when this was done by Patrick Henry. The thrill of exultation and glow of excitement might have subsided into dejection or sunk into lassitude, had not Mr. Lee perceived, "the quiver on every lip, the gleam on every eye." With the quickness of intuition, he saw, that a small impulse could turn this mass of agitated feeling to evil or to good; he rose; the sweetness of his language, and harmony of his voice soothed, but did not suppress the emotions of the meeting; while, with the most persuasive eloquence, he taught that there was but one hope for his country, and that was in the vigour of her resistance.

In Wirt's Life of Patrick Henry, it is assumed, that Richard Henry Lee was unfitted for the details of business; and it seems to be inferred, that, when the topics of declamation were exhausted, he whose powers could only be applied to excite or assuage the passions of a multitude, must have lost much of the influence which he had at first acquired. His failure in composition is in the same place asserted; but this assertion, would seem to be a corollary, from a principle which the author himself denies, that eloquence in speech and in writing are rarely united; or it may rest on the report of others, or be the fancy of his own powerful imagination, believed without thought, and rashly asserted as a fact.

Mr. Lee was a member of the leading committees of this session; to prepare an address to the king of England, to the people of Britain, and to the colonies. The committee for the first, were Messrs. Lee, Adams, Johnson, Rutledge and Henry; they reported a draught of a petition on the twenty-first of October, which was recommended for the purpose of embodying proposed amendments, and Mr. Dickenson was added to the committee. The amended petition was brought in on the twenty-fourth, and finally adopted. Of this, as well as of the original one, Mr. Lee has been generally considered as the author, but justice requires that this eloquent composition should be assigned to him who truly wrote it. On the presentation of the first petition, which had been drawn up by Mr. Lee, with all the energy natural to his character, and with a bold assertion of opinions, which, though coincided in by most of the delegates, it was deemed somewhat imprudent yet to express, Mr. Dickenson was added, as we have mentioned, to the committee, and to his pen the document is to be assigned. Messrs. Lee, Livingston, and Jay, were the committee to prepare a memorial to the people of British America, and an address to the people of Great Britain; in the committee

it was agreed that Mr. Lee should prepare a draught of the former, the first in order and importance, and that Mr. Jay should sketch the other, which was accordingly done. On the twenty-first of October, the committee reported a draught of the memorial; it was debated by paragraphs, and, with some amendments, approved. It has always been believed that the memorial was written by Mr. Lee, nor have any reasons to doubt it come to our knowledge. Messrs. Cushing, Lee, and Dickenson were appointed to prepare an address to the people of Quebec, and it has often been said, and never contradicted, that this address was written by Mr. Dickenson.

The committees to state the rights and grievances of the several colonies, and to devise the most effectual means of carrying into effect the resolution of non-intercourse with Britain, were not less important than the foregoing committees, and of these Mr. Lee was also a member. He knew, that in the convulsion of states, courage and vigorous enterprise give safety; in such periods inactivity is certain destruction, while bold temerity is often crowned with success; he believed that to linger in doubt, in such a state of affairs, might be ruin to their cause; and in this belief, he proposed the following resolutions: "Resolved, that, as we find the reason, declared in the preamble to the act of parliament for raising a revenue in America, to be for supplying the civil government, the administration of justice, and for protecting, defending and securing the colonies, the congress recommend it to those colonies, in which it is not already done, to provide constitutional, competent, and honourable support for the purposes of government and administration of justice; and that as it is quite unreasonable that the mother country should be at the expense of maintaining standing armies in North America for its defence, and that administration may be convinced that this is unnecessary and improper, as North America is able, willing, and, under providence, determined to defend, protect, and secure itself, the congress do most earnestly recommend to the several colonies, that a militia be forthwith appointed and well disciplined, and that it be well provided with proper arms." This motion was not carried in the form here given; the manuscript from which it is taken is in the handwriting of Mr. Lee, with the following memorandum superscribed, "A motion made in congress by Richard Henry Lee to apprise the public of danger, and of the necessity of putting the colonies in a state of defence; a majority had not spirit to adopt it."

Mr. Lee hailed with joy the spirit which pervaded the Suffolk

resolutions, and cheered under their sufferings the inhabitants of Boston; with the feelings of a man for whom property, and home, and life, have no allurements, when destitute of that which gives a charm to them all, the possession of liberty, he moved, "that the congress are of opinion that it is inconsistent with the honour and safety of a free people, to live within the control and exposed to the injuries of a military force not under the government of the civil power." The moderation of congress, however, enabled them to see the evils which had arisen to other governments from too much legislation; hence they rejected Mr. Lee's resolution, believing that it was a subject on which the people of Boston ought to have an unprejudiced choice.

In 1775, Mr. Lee was unanimously returned to the assembly of Virginia. The proposal of Patrick Henry, to arm the militia of the colony, met with opposition in this assembly; but the coldest nature must have been animated, the firmest prejudice moved, even the strongest reason shaken, had reason been in opposition, by the rapid communication of the passion for liberty, through the eloquence of a Henry and a Lee. "Give me liberty, or give me death," the concluding sentiment of the mover of the resolution, rung through the assembly, and the cords of every heart were vibrating in unison; the choice, however, was not made, till his friend and supporter assured them on the faith of holy writ, "that the race was not to the swift, nor the battle to the strong; and if, (said Mr. Lee,) the language of genius may be added to inspiration, I will say with our immortal bard,

Thrice is he armed who hath his quarrel just :
And he but naked, though locked up in steel,
Whose conscience with injustice is oppressed."

They then became impatient of speech, their souls were on fire for action, the motion was carried, and Washington, Henry, and Lee, with others, appointed to prepare the plan called for by the resolution.

The second congress met on the tenth of May, 1775; to it Mr. Lee was deputed by the convention of his native state, having first received their thanks "for his cheerful undertaking and faithful discharge of the trust reposed in him during the session of the last congress." About this time the fond hope of peace and reconciliation, which the timid had hitherto cherished, fled; and preparation for a vigorous resistance was seriously desired by all. Washington

had been called to the command of the armies, by the unanimous voice of congress; and his commission and instructions were furnished by Mr. Lee, as one of a committee appointed for that purpose. To prepare munitions of war; to encourage the manufacture of salt-petre and arms; to devise a plan for the more rapid communication of intelligence, were all works of vast importance, and the wisdom of congress availed itself of the knowledge and intellect of Mr. Lee, by appointing him on each of the committees to carry these measures into effect.

The second address to the people of Great Britain, in the name of this congress, is the production of his pen. Its sentiments are sublime; its style chaste and elegant; its reproaches dignified, and its exhortations fervid. For eloquence and depth of feeling, it is not surpassed by any of the state papers of that period, and well merits the eulogy pronounced on the writings of congress by the first Lord Chatham. Speaking in the house of lords, that nobleman thus expressed himself: "When you consider their decency, firmness, and wisdom, you cannot but respect their cause, and wish to make it your own. For myself, I must declare and avow, that in all my reading, and it has been my favourite pursuit, that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under all the circumstances, no nation or body of men can stand in preference to the general congress at Philadelphia."

A short recess in the month of August, enabled Mr. Lee to retire to his native state, but not to leisure and repose; for he was present in the assembly, summoned by the royal governor, to consider what were called the conciliatory propositions of Lord North. These, however, when their sophistry was exposed, were found to be as unreasonable as insidious. The opinion of congress was the voice of the colonies, that "they seemed to be held up to the world, to deceive it into a belief that there was nothing in dispute but the mode of levying taxes."

On the thirteenth of September the congress again met for business. The period had now arrived for the independence of the colonies; and the convention of Virginia had instructed her delegates to urge the congress solemnly to declare it. Mr. Lee was chosen to move the resolution in congress; he knew that the implacable hatred of tyrants would pursue him for revenge, and that the uncertain issue of war might place him in their power; but foreign states could form no alliance with rebels, and England was not resting on her own mighty resources: necessity urged, and Mr.

Lee had ever listened to the voice of his country; he depended for his safety on the extent of her territories, her capabilities of defence, and the alliances which the Declaration of Independence would procure; or he despised the consequences, and was deaf to the suggestions of fear. On the seventh of June, 1776, Mr. Lee moved "that these United Colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown; and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved."

This motion, which was followed by a protracted debate of several days, was introduced by one of the most luminous and eloquent speeches ever delivered by its illustrious mover. "Why, then, sir, (says Mr. Lee, in conclusion,) why do we longer delay? Why still deliberate? Let this happy day give birth to an American republic. Let her arise, not to devastate and to conquer, but to re-establish the reign of peace and of law. The eyes of Europe are fixed upon us; she demands of us a living example of freedom, that may exhibit a contrast, in the felicity of the citizen, to the ever-increasing tyranny which desolates her polluted shores. She invites us to prepare an asylum, where the unhappy may find solace, and the persecuted repose. She entreats us to cultivate a propitious soil, where that generous plant which first sprung and grew in England, but is now withered by the poisonous blasts of Scottish tyranny, may revive and flourish, sheltering under its salubrious and interminable shade all the unfortunate of the human race. If we are not this day wanting in our duty, the names of the American legislators of 1776 will be placed by posterity at the side of Theseus, Lycurgus, and Romulus—of the three Williams of Nassau, and of all those whose memory has been, and ever will be, dear to virtuous men and good citizens."

On the tenth of June it was resolved, "that the consideration of the resolution respecting independence be postponed till the first Monday in July next; and in the meanwhile, that no time be lost, in case the congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said resolution."

On the same day, an express from Virginia informed Mr. Lee of the dangerous illness of some members of his family, which made his presence there absolutely necessary: leave was obtained by him to withdraw from his duties in congress, and it was left to others to perfect his measures. According to the rules of parliamentary procedure, the original mover of an approved resolution is usually chairman of the committee, and appointed to draught any consequent

report. In the absence of the mover, Mr. Jefferson was elected to that honour.

In consequence of his great exertions to procure a declaration of independence, and his able support of the freedom of his country, Mr. Lee was exposed to the more immediate and implacable hatred of the king of England and his ministers. It is asserted, that had the arms of England prevailed, the surrender of Washington and Lee would have been demanded as a preliminary to any treaty. The rudeness of individuals cannot be charged upon their nation; yet that men in the garb and rank of gentlemen, could not refrain from expressing to the sons of Mr. Lee, then at school in St. Bees, "the hope that their father's head might soon be seen on Tower-hill," may serve to show the light in which he was viewed by the royalists of that day. The desire of the enemy to cut off, by any means, so able a supporter of the rights of America, was only equalled by the solicitude of his fellow citizens to secure his safety and happiness.

During his absence from congress, a British captain of marines, with a strong party of men from vessels of war then in the Potomac, broke into his house at midnight, and by threats and bribes endeavoured to prevail on his domestics to betray their master; for it was understood that Mr. Lee was in the vicinity. Honourably deceitful, the servants assured the party that he had already set out for Philadelphia, although he was then only a few miles from his farm.

The absence of Mr. Lee from congress continued till the beginning of August, 1776; but immediately on his return, he was appointed on the most important committees. He took a distinguished part in preparing a plan of treaties with foreign nations, and in reconciling the people to the almost dictatorial powers of Washington; he furnished instructions for our ministers to foreign states; and many of the letters addressed by congress to these ministers, are the productions of his pen.

From his return to congress till June, 1777, he continued to sustain the great weight of business which his talents and persevering industry drew upon him, and walked through the same luminous path of glory as in the former congress. But in such dazzling brightness of fame, not to have cast some shade, would have argued him more than man. The malice of the envious and the monarchists, or the meritorious vigilance of pure republicans, charged Richard Henry Lee with toryism and disaffection to his country; his receiving rents in kind, and not in colonial money, was the fact on which they rested so odious an imputation. From whatever motive the

accusation proceeded, it gained strength in its progress; and suspicion, which in such periods almost ceases to be a vice, caused it to be generally believed.

Regard for his reputation, as well as for his health, which continued anxiety for the welfare of his country had impaired, induced Mr. Lee to solicit leave of absence, and to return to Virginia. He there demanded an inquiry by the assembly into the nature of the allegations against him. The senate attended, and their presence gave additional solemnity to the scene. The result was the following resolution: "That the thanks of this house be given by the speaker to Richard Henry Lee, for the faithful services he has rendered his country, in discharge of his duty as one of the delegates from this state in general congress."

Mr. Lee, on the resignation of Mr. Mason, was appointed to fill the vacancy in congress, and continued, with his usual devotion to his country, to discharge all the duties of his station. His health, however, daily declined: and finally forced him, during the sessions of 1778 and 1779, to withdraw at intervals from the overwhelming business which he could not longer sustain.

No subject of more importance to the United States had yet come before congress, than the instructions necessary to be given to ministers, who were to negotiate treaties with foreign powers. The firmness and enlightened views of Mr. Lee were peculiarly conspicuous in the debates on that subject. No sectional jealousy nor individual state interest could affect his mind: the prosperity of the east, the grandeur of the west, received alike his solicitude and care. The right to the fisheries and navigation of the Mississippi were by him thought necessary to secure these objects; and the journals of 1779, which record the votes on this discussion, frequently present him alone, of the Virginia delegation, supporting these rights as the ultimatum of the United States in any negotiation.

Mr. Lee, indeed, at this period, either from his feelings or judgment, or perhaps from both, seems to have identified himself, in a considerable degree, with the interest of the eastern states, so far even as to think of that portion of the country as his future residence. In 1778, November twenty-ninth, writing to Mr. Whipple, he says, "Nothing can be more pleasing to me in my retirement, than to hear from my friends: and the pleasure will be increased, when they inform me that the vessel of state is well steered, and likely to be conveyed safely and happily into port. My clear opinion is, that this good work must be chiefly done by the eastern pilots.

They first taught us to dread the rock of despotism, and I rest with confidence on their skill in the future operations." And again, writing to Mr. Adams, "Independently of a general principle of philanthropy, I feel myself interested in the establishment of a wise and free republican government in Massachusetts, where yet I hope to finish the remainder of my days. The hasty, unpersevering, aristocratic genius of the south suits not my disposition, and is inconsistent with my views of what must constitute social happiness and security."

The enemy had, at this period, turned their attention to the southern states, and were carrying on against the coast of Virginia a predatory and harassing warfare; and Mr. Lee was appointed, as lieutenant of the county, to the command of the militia of Westmoreland. In the field, he was as distinguished for firmness, energy, activity, and judgment, as he had been in the councils of the nation; and although none of the counties on the Potomac were more exposed than Westmoreland, his judicious disposal of the troops under his command protected it from the distressing incursions to which the others were subjected. The testimony of Generals Weedon and Greene, in favour of the military arrangements for defence made by Mr. Lee, are not more honourable to his fame than the complaints of the enemy: "that they could not set foot on Westmoreland without having the militia immediately upon them." Such was the language of Captain Grant, who, at this time, with a few British schooners and tenders, kept possession of the Potomac, and ravaged the counties on both its banks.

The nature of this command prevented any distinguished exploit, yet the frequent skirmishes with the enemy rendered it peculiarly dangerous. On one occasion, in an attempt to seize a tender of the enemy, which had been driven ashore, Mr. Lee narrowly escaped; for, while he was rallying his scattered company, which the long guns from the boats of the enemy, and the small arms of a detachment on shore had thrown into confusion, his attention was so occupied, that his horse fell with him, amid the broken and insecure grounds on the beach, only a few yards from the advance of the British troops. His presence of mind did not forsake him in so untoward an accident, and he was, by great skill, able to cover the retreat of his little party without considerable loss on his side.

During the years 1780, 1781, 1782, Mr. Lee would not accept a seat in congress, from a belief that his services in the assembly of his native state, would be more profitable to his country; particularly at that time when the establishing of her government, and some of her

most important concerns, were under consideration. Among these, three subjects were more particularly prominent, and most frequently agitated in the house, the making paper money a legal tender at its nominal value; the payment of British debts; and a capitation tax for the support of the clergy; or, as the advocates of the measure called it, "a general assessment for the support of the Christian religion."

With respect to the payment of British debts, and the policy of making paper money a legal tender, Mr. Lee was constantly opposed to his friend Patrick Henry, and they both, among the new political characters who had risen high in public estimation, continued to keep their place far in the van. The vivid and interesting comparison of the merits of these great men, at the time of which we treat, is given by a correspondent of the author of the *Life of Patrick Henry*. "I met with Patrick Henry in the assembly, in May, 1783; I also then met with Richard Henry Lee. These two gentlemen were the great leaders of the house of delegates, and were almost constantly opposed. There were many other great men who belonged to that body, but as orators, they cannot be named with Henry or Lee. Mr. Lee was a polished gentleman. He had lost the use of one of his hands, but his manner was perfectly graceful. His language was always chaste, and although somewhat too monotonous, his speeches were always pleasing: yet he did not ravish your senses nor carry away your judgment by storm. His was the mediate class of eloquence, described by Rollin in his *belles lettres*. He was like a beautiful river, meandering through a flowery mead, but which never overflowed its banks. It was Henry who was the mountain torrent, that swept away every thing before it; it was he alone who thundered and lightened, he alone attained that sublime species of eloquence, also mentioned by Rollin."

To impede the payment of British debts, Mr. Lee thought a violation of all principles of honesty and national honour, and declared, "that it would have been better to have remained the honest slaves of Britain, than become dishonest freemen." He eloquently urged, that to encourage citizens to make light of the faith of contracts, was to undermine the principles of virtue, on which alone republicans may rest secure. "I am very far from desiring that the law should place these contracts literally as they were; but substantially, it seems just that they should be. Public justice, demands that the true meaning and genuine spirit of contracts, should be complied with."

The sovereignty and independence of the United States, were now acknowledged by England; and the provisional articles of

peace, embraced those measures which Mr. Lee had so strenuously supported. The sheathed sword required no longer an arm to wield it, but the deliberative council might still be aided by the voice of experience. Mr. Lee, therefore, willingly accepted the mark of confidence and attachment with which the people of Virginia again honoured him, and took his seat in congress, on the first of November, 1784. The highest office under the old confederation was then vacant, and on the thirtieth of the month a sufficient number of states having assembled, Mr. Lee was raised to the presidential chair. The delegates to congress were unanimous in their choice; the congratulations of Washington and Samuel Adams were re-echoed by every state in the union, and were well merited by the vigour, zeal, and patriotism which the president of congress exhibited in that high office. Every department of public business shared his attention; his correspondence with ministers, and his intercourse with diplomatists of foreign courts, were marked with dignity and republican plainness and sincerity. When his time of service expired, he retired to the bosom of his family, with the satisfaction of having faithfully discharged the trust reposed in him, having received "the thanks of congress for his able and faithful discharge of the duties of president, while acting in that station."

Mr. Lee was not a member of the convention which discussed and adopted the federal constitution; but he was strongly opposed to its adoption without amendment; its tendency, he thought, was to consolidation, and he believed that despotism would be the result of subjecting such an extent of country, interests so various, and people so numerous to one national government. He recommended, however, the most cool, collected, full and fair discussion of that all-important subject. "If it be found right, (said Mr. Lee,) adopt it; if wrong, amend it, at all events; for, to say that bad governments must be adopted for fear of anarchy, is really saying that we should kill ourselves for fear of dying."

As the first senator from Virginia under the new constitution, he proposed several amendments, the adoption of which seemed to him to have lessened the apprehended danger. He continued to hold the honourable and important trust of senator of the United States, with great satisfaction to his native state and advantage to his country, till enfeebled health induced him to withdraw from public life, and seek that repose which is so agreeable to declining years, and that enjoyment, which a mind like his, always receives within the circle of domestic retirement. On the twenty-second of October,

1792, the senate and house of delegates of Virginia, unanimously agreed to a vote of thanks, in these words: "Resolved, unanimously, that the speaker be desired to convey to Richard Henry Lee, the respects of the senate; that they sincerely sympathize with him in those infirmities which have deprived their country of his valuable services; and that they ardently wish he may, in his retirement, with uninterrupted happiness close the evening of a life, in which he hath so conspicuously shone forth as a statesman and a patriot; that while mindful of his many exertions, to promote the public interests, they are particularly thankful for his conduct as a member of the legislature of the United States."

The preceding sketch may give some idea of the public services of Mr. Lee, but who can depict him in that sphere of which he was the centre? giving light and happiness to all around him, possessing all the enjoyment which springs from virtue, unblemished fame, blooming honours, ardent friendship, elegance of taste, and a highly cultivated mind. His hospitable mansion was open to all; the poor and the distressed frequented it for relief and consolation, the young for instruction, the old for happiness; while a numerous family of children, the offspring of two marriages, clustered around and clung to each other in fond affection. Enough has been said to show the extent of his acquirements, and the refinement of his taste, the solidity of his judgment, and the vividness of his imagination; but the personal appearance of such a man may be an object of curiosity to posterity. His person was tall and well proportioned; his face was on the Roman model; his nose Cæsarian; the port and carriage of his head leaning persuasively forward; and the whole contour noble and fine. The eye which shed intelligence over such features, had softness and composure, as its prevailing characteristic, till it glowed in debate or radiated in conversation. His voice was clear and melodious, and was modulated by the feeling which swayed his bosom. The progress of time was insensible to those who listened to his conversation, and he entwined himself around the minds of his hearers, fixing his memory on their hearts. In the vigour of his mind, amid the honours of the world and its enjoyments, he had declared his belief in Jesus Christ as the Saviour of men.

Mr. Lee breathed his last on the nineteenth of June, 1794, in the sixty-fourth year of his age, at Chantilly, Westmoreland county, Virginia, a few weeks before the celebration of the day on which his eloquent tongue and intrepid mind, had given birth to the independence of his country.



RES OF THOMAS JEFFERSON, MONTICELLO.
V*



The House in which, Thos. Jefferson & others...
Declaration of Independence...
SW Cor 7th & Market Sts. Philada.

THOMAS JEFFERSON.

THE great tragic poet of antiquity has observed, and historians and philosophers in every age have repeated the observation, that no one should be pronounced happy, till death has closed the period of human uncertainty. Yet, if to descend into the vale of life beloved and honoured; to see the labours of our earlier years crowned with more than hoped for success; to enjoy, while living, that fame which is usually bestowed only beyond the tomb; if these could confer aught of happiness, on this side the grave, then may the subject of our memoir be esteemed truly happy.

THOMAS JEFFERSON was descended from a family, which had been long settled in his native province of Virginia. His father, Peter Jefferson, was a gentleman well known in the province. He was appointed in the year 1747, one of the commissioners for determining the division line between Virginia and North Carolina, an office which would seem to indicate at once considerable scientific knowledge, integrity, firmness, and discernment.

Thomas Jefferson was born on the second day of April, (O. S.) 1743, at Shadwell, in Albemarle county, Virginia, and on the death of his father, succeeded to an ample and unembarrassed fortune. But little is known of the incidents of his early life. We first hear of him as a student in the college of William and Mary, at Williamsburg, and then, ignorant of his success on the youthful arena of literary fame, find him a student of law, under the celebrated George Wythe, afterwards chancellor of the state of Virginia. With this gentleman he was united, not merely by the ties of professional connexion, but by a congeniality of feeling, and similarity of views, alike honourable to them both; the friendship formed in youth was cemented and strengthened by age, and when the venerable preceptor closed his life, in 1806, he bequeathed his library and philosophical apparatus to a pupil and friend who had already proved himself worthy of his instruction and regard.

Mr. Jefferson was called to the bar in the year 1766; and pur-

sued the practice of his profession, with zeal and success. In the short period during which he continued to devote himself to it, without the interruption of political objects, he acquired very considerable reputation, and there still exists a monument of his early labour and useful talents, in a volume of Reports of adjudged cases in the Supreme courts of Virginia, compiled and digested, amid the engagements of active professional occupation.

But he came into life at a period when those who possessed the confidence of their fellow citizens, and the energy and talents requisite for public life, were not long permitted to remain in a private station, and pursue their ordinary affairs; he was soon called to embark in a career of more extensive usefulness, and to aim at higher objects—*ingenium illustre altioribus studiis juvenis admodum dedit, quo firmior adversus fortuita rempublicam capesseret*. We find him accordingly, as early as the year 1769, a distinguished member of the legislature of Virginia, associated with men whose names are inscribed among the first and most determined champions of our rights. Ever since the year 1763, a spirit of opposition to the British government had been gradually arising in the province. The attachment to England was, indeed, considerable in all the colonies, and in Virginia it was more than usually strong; yet such was the rash course pursued by the British ministry, that a very brief space was sufficient to dissolve, in every breast that glowed with national feeling, the ties which had been formed by blood, by time, and by policy; and to prove that there was no hazard too great to be encountered for the establishment of institutions which would secure the country from a repetition of insults that could only end in the most abject slavery. It will not be doubted, that Mr. Jefferson was among the first to perceive the only course that could be adopted; his own expressive language portrays at once the sufferings of the country, and the necessity of resistance.

"The colonies" he says, in alluding to this period, "were taxed internally and externally; their essential interests sacrificed to individuals in Great Britain; their legislatures suspended; charters annulled; trials by juries taken away; their persons subjected to transportation across the Atlantic, and to trial by foreign judicatories; their supplications for redress thought beneath answer; themselves published as cowards in the councils of their mother country and courts of Europe; armed troops sent amongst them to enforce submission to these violences; and actual hostilities commenced against them. No alternative was presented, but resistance or

unconditional submission. Between these there could be no hesitation. They closed in the appeal to arms."

On the first of January, 1772, Mr. Jefferson married the daughter of Mr. Wayles, an eminent lawyer of Virginia; an alliance by which he at once gained an accession of strength and credit; and secured in the intervals of public business, (which indeed were few) the domestic happiness he was so well fitted to partake and to enjoy. Its duration, however, was but short; in little more than ten years, death deprived him of his wife, and left him the sole guardian of two infant daughters, to whose education he devoted himself with a constancy and zeal, which might in some degree compensate for the want of a mother's care and instruction.

On the twelfth of March, 1773, Mr. Jefferson was appointed a member of the first committee of correspondence, established by the colonial legislatures; an act already alluded to as one of the most important of the revolution.

The year 1774 found Mr. Jefferson still an active member of the legislature of Virginia. The passage of the Boston port act, and the bills which immediately followed it, had filled up the measure of insult and oppression. At this crisis, Mr. Jefferson wrote and published his "Summary View of the Rights of British America;" having devoted to its composition all the leisure he could obtain from the labours of his public situation; although these had become by this time, from his active and energetic character, extremely arduous.

This pamphlet he addressed to the king, as the chief officer of the people, appointed by the laws and circumscribed with definitive power to assist in working the great machine of government erected for their use, and consequently subject to their superintendence. He reminded him, that our ancestors had been British freemen; that they had acquired their settlements here at their own expense and blood; that it was for themselves they fought—for themselves they conquered, and for themselves alone they had a right to hold. That they had indeed thought proper to adopt the same system of laws under which they had hitherto lived, and to unite themselves under a common sovereign; but that no act of theirs had ever given a title to that authority which the British parliament arrogated. That the crown had unjustly commenced its encroachments, by distributing the settlements among its favourites and the followers of its fortunes; that it then proceeded to abridge the free trade, which the colonies possessed as of natural right, with all parts of the world.

and that afterwards offices were established of little use, but to accommodate the ministers and favourites of the crown. That during the reign of the sovereign whom he immediately addressed, the violation of rights had increased in rapid and bold succession; being no longer single acts of tyranny, that might be ascribed to the accidental opinion of a day: but a series of oppressions, pursued so unalterably through every change of ministers, as to prove too plainly a deliberate and systematical plan of reducing the colonies to slavery. He next proceeds, in a style of the boldest invective, to point out the several acts by which this plan had been enforced, and enters against them a solemn and determined protest. He then considers the conduct of the king as holding an executive authority in the colonies, and points out, without hesitation, his deviation from the line of duty; he asserts, that by the unjust exercise of his negative power, he had rejected laws of the most salutary tendency; that he had defeated repeated attempts to stop the slave trade and abolish slavery; thus preferring the immediate advantages of a few African corsairs to the lasting interests of America, and to the rights of human nature, deeply wounded by this infamous practice. That inattentive to the necessities of his people, he had neglected for years the laws which were sent for his inspection; and that assuming a power, for advising the exercise of which, the English judges in a former reign had suffered death as traitors to their country, he had dissolved the representative assemblies, and refused to call others. That to enforce these and other arbitrary measures, he had from time to time sent over large bodies of armed men, not made up of the people here, nor raised by the authority of their laws. That to render these proceedings still more criminal, instead of subjecting the military to the civil powers, he had expressly made the latter subordinate to the former. That these grievances were thus laid before their sovereign, with that freedom of language and sentiment which became a free people, whom flattery would ill beseech, when asserting the rights of human nature; and who knew, nor feared to say, that kings are the servants—not the proprietors of the people.

In these sentiments, bold as they were, his political associates united with him. They resolved that the first of June, the day on which the operation of the Boston port bill was to commence, should be set apart by the members as a day of fasting, humiliation, and prayer; “devoutly to implore the divine interposition, for averting the heavy calamities which threatened destruction to their civil rights, and the evils of a civil war; and to give them one heart and

one mind to oppose, by all just and proper means, every injury to American rights."

Such proceedings greatly exasperated Lord Dunmore, the royal governor of the province. He threatened a prosecution for high treason against Mr. Jefferson, who boldly avowed himself the author of the obnoxious pamphlet, and dissolved the house of burgesses immediately after the publication of their resolution. Notwithstanding these arbitrary measures, the members met in their private capacities, and mutually signed a spirited declaration, wherein they set forth the unjust conduct of the governor, which had left them this, the only method, to point out to their countrymen the measures they deemed the best fitted to secure their rights and liberties from destruction by the heavy hand of power. They told them that they could no longer resist the conviction, that a determined system had been formed to reduce the inhabitants of British America to slavery, and strongly recommended a close alliance with their sister colonies, the formation of committees of correspondence, and the annual meeting of a general congress; earnestly hoping that a persistence in those unconstitutional principles would not compel them to adopt measures of a character more decisive.

The year 1775 opened in England with attempts, at once by the friends and the enemies of the colonies, to effect a reconciliation. Perhaps the period had passed away, when success was to be expected from the efforts of the former; but even an experiment on their plan was not allowed to be made. The house of lords received, with chilling apathy, the proposition submitted by the energy, the patriotism, and the experience of the dying Chatham; and the house of commons listened, without conviction, to the well-digested plans of Mr. Burke, brought forward as they were, with an eloquence unequalled perhaps in the records of any age or country, and supported by that intuitive quickness of perception, that astonishing correctness of foresight, which so often marked his political predictions.

The ministry were determined that the reconciliation, if indeed they ever sincerely wished for one, should proceed from themselves, and be made on their own terms; they offered that so long as the colonial legislatures should contribute a fair proportion for the common defence, and for the support of the civil government, no tax should be laid by parliament; but that the amount raised by these means should be disposable by that body.

On the first of June, 1775, Lord Dunmore presented to the legis-

lature of Virginia the resolution of the British parliament. It was referred immediately to a committee, and Mr. Jefferson was selected to frame the reply. This task he performed with so much strength of argument, enlightened patriotism, and sound political discretion, that the document has been ever considered as a state paper of the highest order.

Mr. Jefferson had been elected on the twenty-seventh of March, 1775, one of the members to represent Virginia in the general congress of the confederated colonies already assembled at Philadelphia. When about to leave the colony, a circumstance is said to have occurred to him, and to Mr. Harrison and Mr. Lee, his fellow delegates, that conveyed a noble mark of the unbounded confidence which their constituents reposed in their integrity and virtue. A portion of the inhabitants, who, far removed from the scenes of actual tyranny, which were acted in New England, and pursuing uninterruptedly their ordinary pursuits, could form no idea of the slavery impending over them, waited on their three representatives, just before their departure, and addressed them in the following terms:

“You assert that there is a fixed design to invade our rights and privileges; we own that we do not see this clearly: but since you assure us that it is so, we believe the fact. We are about to take a very dangerous step; but we confide in you, and are ready to support you in every measure you shall think proper to adopt.”

On Wednesday, the twenty-first of June, 1775, Mr. Jefferson appeared and took his seat in the continental congress; and it was not long before he became conspicuous among those most distinguished by their abilities and ardour. In a few days after his arrival, he was made a member of a committee appointed to draw up a declaration setting forth the causes and necessity of resorting to arms; a task which, like all the other addresses of this congress, was executed with singular ability, and in which it is more than probable the Virginia delegate took no inconsiderable part.

In July, the resolution of the house of commons for conciliating the colonies, which had been presented to the different legislatures, and to which, as we have already related, Mr. Jefferson had framed the reply of Virginia, was laid before congress. He was immediately named a member of the committee to whom it was referred, and in a few days a report was presented, embracing the same general views as his own, and repeating that the neglect with which all our overtures were received, had destroyed every hope but that of reliance on our own exertions.

On the eleventh of August, Mr. Jefferson was again elected a delegate from Virginia, to the third congress. During the winter, his name appears very frequently on the journals of that assembly, and we find him constantly taking an active part in the principal matters which engaged its attention.

With the commencement of the year 1776, the affairs of the colonies, and certainly the views of their political leaders, began to assume a new aspect, one of more energy, and with motives and objects more decided and apparent. Eighteen months had passed away since the colonists had learned by the entrenchments at Boston, that a resort to arms was an event, not beyond the contemplation of the British ministry. Nearly a year had elapsed, since the fields of Concord and Lexington had been stained with hostile blood; during this interval, armies had been raised, vessels of war had been equipped, fortifications had been erected, gallant exploits had been performed, and eventful battles had been lost and won; yet still were the provinces bound to their British brethren, by the ties of a similar allegiance; still did they look upon themselves as members of the same empire, subjects of the same sovereign, and partners in the same constitution and laws.

Every expedient, however, short of unconditional separation, had now been tried by congress—but in vain. It appeared worse than useless, longer to pursue measures of open hostility, and yet to hold out the promises of reconciliation. The time had arrived when a more decided stand must be taken—the circumstances of the nation demanded it, the success of the struggle depended on it. The best and wisest men had become convinced, that no accommodation could take place, and that a course which was not marked by decision, would create dissatisfaction among the resolute, while it would render more uncertain the feeble and the wavering.

During the spring of 1776, therefore, the question of independence became one of very general interest and reflection among all classes of the nation. It was taken into consideration by some of the colonial legislatures, and in Virginia a resolution was adopted in favour of its immediate declaration.

Under these circumstances, the subject was brought directly before congress, on Friday, the seventh of June, 1776. It was discussed very fully on the following Saturday and Monday, and we have already mentioned, that after the debate, they came to the determination to postpone the further consideration of it until the first of July following. In the mean while, however, that no time might

be lost, in case the congress should agree thereto, a committee was appointed to prepare a declaration, "That these United Colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown; and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved."

This committee consisted of Mr. Jefferson, Mr. J. Adams, Mr. Franklin, Mr. Sherman, and Mr. R. R. Livingston; and to Mr. Jefferson, the chairman of the committee, was ultimately assigned the important duty of preparing the draught of the document, for the formation of which they had been appointed.

The task thus devolved on Mr. Jefferson, was of no ordinary magnitude; and required the exercise of no common judgment and foresight. To frame such a document, was the effort of no common mind. That of Mr. Jefferson proved fully equal to the task. His labours received the immediate approbation and sanction of the committee; and their opinion has been confirmed by the testimony of succeeding years, and of every nation where it has been known.

On the twenty-eighth of June, the Declaration of Independence was presented to congress, and read. On the first, second, and third of July, it was taken into very full consideration; and on the fourth, it was agreed to after several alterations, and considerable omissions had been made in the draught, as it was first framed by the committee.

It has been mentioned in the life of Richard Henry Lee, that, as the original mover of the resolution for independence, the usage of deliberative assemblies would have assigned to him the duty of preparing the declaration, had he not been absent. This circumstance, united with a feeling of true regard, and a long co-operation in bringing about the great result, induced Mr. Jefferson to send Mr. Lee a copy of the original draught as well as of the amendments made by congress; these he accompanied with a letter, dated the eighth of July, 1776, in which he says:

"Dear Sir—For news, I refer you to your brother, who writes on that head. I enclose you a copy of the Declaration of Independence, as agreed to by the house, and also as originally framed; you will judge whether it is the better or worse for the critics. I shall return to Virginia after the eleventh of August. I wish my successor may be certain to come before that time; in that case, I shall hope to see you, and not Wythe, in convention, that the busi-

ness of government, which is of everlasting concern, may receive your aid. Adieu, and believe me to be, &c."

During the summer of this year, 1776, Mr. Jefferson took an active part in the deliberations and business of congress; his name appears on the journals of the house very often, and he was a member of several highly important committees. Being obliged, however, to return to Virginia, he was, during his absence, appointed, in conjunction with Dr. Franklin and Mr. Deane, a commissioner to the court of France, for the purpose of arranging with that nation a measure, now become of vital necessity, the formation of treaties of alliance and commerce. But owing at once to his ill health, the situation of his family, and the embarrassed position of public affairs, especially in his own state, he was convinced that to remain in America, would be more useful than to go abroad; and in a letter to congress of the eleventh of October, he declined the appointment.

From this period, during the remainder of the revolutionary war, Mr. Jefferson chiefly devoted himself to the service of his own state. In June, he had been a third time elected a delegate to congress, but in October following, he resigned his situation in that body, and was succeeded by Benjamin Harrison. The object which now chiefly engaged him was the improvement of the civil government of Virginia. In May preceding, immediately on the disorganization of the colonial system, the convention assembled at Williamsburg, had turned their attention to the formation of a new plan of government; and with a haste, which bespeaks rather the ardour of a zealous and oppressed people for the assertion of their own rights, than the calmness and deliberation that should attend an act, in which their future welfare was so deeply involved, they adopted their constitution in the following month. Mr. Jefferson was at this time absent in Philadelphia, a delegate to congress; foreseeing the inevitable result of the contest between the colonies and the mother country, he had, for a long while, devoted much reflection and research to maturing a plan for a new government, and had already formed one, on the purest principles of republicanism. This draught he transmitted to the convention; but unfortunately, the one that they had hastily framed, had received a final vote on the day it reached Williamsburg. The debate had already been ardent and protracted; the members were wearied and exhausted; and, after making a few alterations, and adopting entire the masterly preamble which Mr. Jefferson had prefixed, it was thought expedient for the present, to adhere to

the original plan, imperfect as on all hands it was acknowledged to be.

The extremes of right and wrong are said very closely to approach each other. An incident in the political history of Virginia, does not invalidate the maxim. In June, this constitution had been adopted, breathing in every article the most vehement spirit of equal rights, and established on the downfall of arbitrary rule. In the following December, a serious proposition was made to establish a dictator, "invested with every power, legislative, executive, and judiciary, civil, and military, of life and of death, over our persons and over our properties." To the wise and good of every party, such a scheme could not but appear as absurd as it was dangerous. In Mr. Jefferson, it found a ready and successful opponent at the time, and he has devoted to its consideration and censure a few pages of his later works.

A wiser plan was adopted to relieve the state from its difficulties, by a careful revision of its laws. A commission was appointed for this purpose, consisting of Thomas Jefferson, Edmond Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee, who employed themselves zealously in their task, from the commencement of the year 1777, to the middle of 1779. In that period it is said, their industry and zeal prepared no less than one hundred and twenty-six bills, from which are derived all the most liberal features of the existing laws of the commonwealth. The method they pursued was marked with prudence and intelligence. It is thus described by Mr. Jefferson himself:

"The plan of the revisal was this. The common law of England, by which is meant that part of the English law which was anterior to the date of the oldest statutes extant, is made the basis of the work. It was thought dangerous to attempt to reduce it to a text: it was therefore left to be collected from the usual monuments of it. Necessary alterations in that, and so much of the whole body of the British statutes, and acts of assembly, as were thought proper to be retained, were digested into a hundred and twenty-six new acts, in which simplicity of style was aimed at, as far as was safe."

In the account which Mr. Jefferson has given of this revisal of the laws of Virginia, he has, with the modesty of true greatness, suppressed every word which could indicate his own participation in an employment so highly honourable. As regards Mr. Jefferson it should be mentioned, that in addition to the prominent and laborious share which he undertook in the general revision, Virginia owes

to his enlightened mind alone, the most important and beneficial changes in her code. The laws forbidding the future importation of slaves; converting estates tail into fees simple; annulling the rights of primogeniture; establishing schools for general education; sanctioning the right of expatriation; and confirming the rights of freedom in religious opinion, were all introduced by him, and were adopted at the time they were first proposed, or at a subsequent period; in addition to these, he brought forward a law proportioning crimes and punishments, which was afterwards passed under a different modification.

To enter into the details of these laws, would lead us from the object, as it would far exceed the limits of this slight sketch; yet to the lawyer and politician, they may be recommended as containing many invaluable lessons in legal and political science, and to those who have been accustomed to view this great statesman rather as author of the ingenious theories, than a lawgiver skilled in the practical details of government, and the useful application of laws to the great exigencies of civil society, they will speak more than the most laboured panegyric.

Nor was it in public duties alone that Mr. Jefferson was employed; with a zeal alike honourable and useful, he devoted his attention to the personal welfare of those of the enemy, whom the chances of war had placed within his reach. The troops taken at Saratoga were removed to the neighbourhood of Charlottesville, in Virginia, which was selected as the place of their destination. Mr. Jefferson, aided by Mr. Hawkins the commissary general, and the benevolent dispositions of his fellow citizens, adopted every plan to alleviate the distresses of the troops, and to soften as much as possible the hardships of captivity. Indeed his hospitality and generous politeness to these unfortunate strangers, was such as to secure their lasting friendship and esteem.

On the first of June, 1779, the term for which Mr. Henry, the first republican governor of Virginia, had been chosen, having expired, Mr. Jefferson was elected to fill that office. The time was one at which its duties had become arduous and difficult; it was at that period of the war, when the British government, had increased the usual horrors of warfare, by the persecution of the wretched prisoners who fell into their hands. The governor of Virginia, among others, promptly expressed his determination to adopt, as the only resource against a system of warfare so barbarous and unheard of, a retaliation on the British prisoners in his power.

This course, for a short time, produced on the part of the enemy an excess of cruelty, especially against the officers and soldiers of Virginia; it was, however, without avail; the measure was the last resort, brought on by a long course of unfeeling conduct, and the only remedy that was left. The policy of the measure was proved by its ultimate success; and the British government, when taught by experience, acknowledged the correctness of a principle they had refused to listen to, when urged only by the dictates of humanity and the usages of civilized society.

In the year 1780, Virginia, which had hitherto been distant from the seat of actual warfare, was threatened with invasion from the south. In the spring, the ferocious Tarleton had made his appearance on her southern borders, marking his path with unusual barbarity. Immediately after him, followed the main army under Lord Cornwallis. It was then time for Virginia to exert herself. Troops were rapidly raised and sent off to the south, artillery and ammunition were collected, lines of communication established, and every preparation made to meet the enemy. It is needless to remark, that all the former habits and pursuits of the governor, had been of a kind little likely to fit him for military command; but aware of the importance of energy and exertion at such a crisis, he bent his mind to the new task which fortune had thrown upon him, with alacrity and ardour. He was, however, surrounded by difficulties, destitute of arms and military stores, and without information of the movements of the enemy.

The legislature, becoming fully aware of their danger, adopted the most vigorous measures for the increase and support of the southern army. They conferred on the governor new and extraordinary powers; and that officer exerted himself in every mode, which ingenuity could suggest, to ward off the approaching danger.

While however all eyes were turned to the south, a sudden attack in another quarter was the more disastrous, as it was the less expected.

Arnold, whose treachery seems to have increased the natural daring and recklessness of his temper, aware of the unprotected situation of Virginia on the sea board, formed a plan for an attack on that quarter. He set sail from New York, with sixteen hundred men, and supported by a number of armed vessels, ascended James river, and landed about fifteen miles below Richmond. All the militia of the state, that could be supplied with arms, had been already called out, and placed in the neighbourhood of Williams-

burg, under the orders of General Nelson. This event seemed to leave the governor almost without resource; he saw the enemy within a few miles of the capital of the state, which was entirely undefended; he collected hastily about two hundred half-armed militia, whom he placed under the command of Baron Steuben, for the purpose of protecting the removal of the records and military stores across James river; he superintended their movements in person with the utmost zeal, courage, and prudence; and he was seen coolly issuing his orders, until the enemy had actually entered the lower part of the town, and begun to flank it with their light horse.

Although Arnold had thus succeeded in plundering and laying waste the country, the governor determined, if possible, that the traitor should not escape with impunity; he believed that a plan for his capture, prudently formed, and boldly executed, would be attended with success. The scheme appears to have been devised with sagacity and matured with prudence. Men were found without difficulty, bold enough and ready to undertake this scheme; but it was rendered unavailing by the cautious prudence of Arnold, who avoided every exposure to such a danger.

Frustrated in this plan, the governor turned his attention to another, on a bolder scale, in which he was to be aided by General Washington and the French fleet. The latter, then at Rhode Island, were to sail immediately for James river, to prevent the escape of the enemy by sea, while a large body of troops should be collected on shore, for the purpose of blockading them, and ultimately compelling a surrender. On the eighth of March, Mr. Jefferson thus writes to the commander-in-chief: "We have made on our part, every preparation which we were able to make. The militia proposed to operate, will be upwards of four thousand from this state, and one thousand or twelve hundred from Carolina, said to be under General Gregory. The enemy are at this time, in a great measure, blockaded by land, there being a force on the east side of Elizabeth river. They suffer for provisions, as they are afraid to venture far, lest the French squadron should be in the neighbourhood, and come upon them. Were it possible to block up the river, a little time would suffice to reduce them by want and desertions; and would be more sure in its event than any attempt by storm." The French fleet, however, encountered, on their arrival at the Chesapeake a British squadron of equal, if not superior force, by which they were driven back; by these means the plan was defeated, and Arnold again escaped.

The disasters of Virginia, and the difficulties of the governor however, were not yet at an end. Arnold had scarcely left the coast, when Cornwallis entered the state on the southern frontier. Never was a country less prepared to repel invasion. For this purpose, the militia was the only force; and the resort even to this was limited by the deficiency of arms. The governor used every effort, however, to increase its efficacy. When it was sent into the field, he called into service a number of officers who had resigned, or been thrown out of public employment by reductions of continental regiments for want of men, and gave them commands; an expedient which, together with the aid of the old soldiers scattered in the ranks, produced a sudden and highly useful degree of skill, discipline, and subordination. Men were drafted for the regular regiments, and considerable detachments of the militia were sent to the south; and a number of horses, essentially necessary, were rapidly obtained by an expedient of Mr. Jefferson's. Instead of using a mercenary agency, he wrote to an individual, generally a member of assembly, in each of the counties where they were to be had, to purchase a specified number with the then expiring paper money. This expedient met with a success highly important to the common cause. Nor was it sufficient to protect his own state alone; aid was demanded for the Carolinas: and this, though increasing the destitution and distress at home, was furnished to a very considerable extent. At length, however, exhausted by her efforts to aid her sister states, almost stript of arms, without money, and harassed on the east and on the west with formidable invasions, Virginia appeared at last without resource.

On the second of June, the term for which Mr. Jefferson had been elected expired, and he returned to the situation of a private citizen, after having conducted the affairs of his state through a period of difficulty and danger, without any parallel in its preceding or subsequent history, and with the utmost prudence and energy.

Two days after his retirement from the government, and when on his estate at Monticello, intelligence was suddenly brought that Tarleton, at the head of two hundred and fifty horse, had left the main army for the purpose of surprising and capturing the members of assembly at Charlottesville. The house had just met, and was about to commence business when the alarm was given; they had scarcely taken time to adjourn informally, to meet at Staunton on the seventh, when the enemy entered the village in the confident expectation of an easy prey. The escape was indeed narrow, but

no one was taken. In pursuing the legislature, however, the governor was not forgotten; a troop of horse under a Captain M'Leod had been despatched to Monticello—fortunately with no better success. The intelligence received at Charlottesville was soon conveyed thither, the distance between the two places being very short. Mr. Jefferson immediately ordered a carriage to be in readiness to carry off his family, who, however, breakfasted at leisure with some guests. Soon after breakfast, and when the visitors had left the house, a neighbour rode up in full speed, with the intelligence that a troop of horse was then ascending the hill. Mr. Jefferson now sent off his family, and after a short delay for some indispensable arrangements, mounted his horse, and taking a course through the woods, joined them at the house of a friend, where they dined. It would scarcely be believed by those not acquainted with the fact, that this flight of a single and unarmed man from a troop of cavalry, whose whole legion too was within supporting distance, and whose main object was his capture, has been the subject of volumes of reproach, in prose and poetry, serious and sarcastic.

In times of difficulty and danger, it is seldom that the actions of the wisest and the best can escape without censure. Notwithstanding the wisdom and energy of Governor Jefferson's administration, it did not escape censure; yet it would seem almost useless to record imputed errors and unfounded charges with regard to him, which have passed into oblivion by the lapse of years, were it not in some degree a duty not to pass unnoticed events which, in their own day at least, excited considerable attention.

The meeting of the legislature at Staunton was attended by several members who had not been present at Richmond, at the period of Arnold's incursion. One of these, Mr. George Nicholas, actuated, it is said, by no unkind feelings, yet it must be acknowledged with a patriotism somewhat too ardent, accused the late governor of great remissness in his measures on that occasion, and moved for an inquiry relative to them. To this, neither Mr. Jefferson nor his friends had the least objection, nor did they make the slightest opposition. The ensuing session of the legislature was the period fixed for the investigation: but before it arrived, Mr. Nicholas, convinced that the charges were unfounded, in the most honourable and candid manner declined the farther prosecution of the affair. In the mean time, that he might be placed on equal ground for meeting the inquiry, one of the representatives of his county resigned his seat, and Mr. Jefferson was unanimously elected in his place.

When the house assembled, no one appeared to bring forward the investigation; he, however, rose in his place, and recapitulating the charges which had been made, stated in brief terms his own justification. His remarks were no sooner concluded, than the house passed unanimously the following resolution:

“Resolved, That the sincere thanks of the general assembly be given to our former governor, Thomas Jefferson, for his impartial, upright, and attentive administration whilst in office. The assembly wish, in the strongest manner, to declare the high opinion they entertain of Mr. Jefferson’s ability, rectitude, and integrity, as chief magistrate of this commonwealth, and mean, by thus publicly avowing their opinion, to obviate and to remove all unmerited censure.”

Mr. Jefferson has already appeared before us as a writer of no ordinary talents; but it has been in one point of view solely—that of a politician. Great as were his skill and knowledge as a statesman, and active as were his labours for the public good, we find him in the year 1781, snatching sufficient leisure amid the tumult and confusion of politics and war, to compose a work devoted exclusively to science. M. De Marbois, the secretary of the French legation in the United States, at the suggestion it is supposed of his own court, proposed to Mr. Jefferson a number of questions relative to the state of Virginia, embracing a general view of its geography, natural productions, statistics, government, history, and laws. To these, Mr. Jefferson returned answers full of learning and research; so much so, that the gentleman to whom they were addressed, found it necessary to have a few copies printed in the French language, for the use exclusively, however, of his friends, among whom the work had excited great interest. From one of these copies, a translation was surreptitiously made into English; and this induced Mr. Jefferson at length, in the year 1787, to publish the work himself, under the simple title it still retains, of “Notes on Virginia.” The principal charms of this little volume are the unpretending simplicity of its style, and the variety of its information. After a lapse of more than forty years, we are surprised at the slow advances we have made in the subjects of which it treats; and when we reflect on the wild state of the country at that period, the comparatively narrow bounds within which was contained all of civilization and knowledge, we look with astonishment at the facts that industry could thus accumulate. The reader will not perhaps regret that he chose public life as the great theatre of his ambition, but he will

acknowledge that his fame would probably have been as great in the more peaceful pursuits of science.

About the close of the year 1782, Mr. Jefferson was appointed a minister plenipotentiary, to join the commissioners in Europe, who were to determine on the conditions of a treaty of peace, which it was expected would soon be entered into. In December he arrived at Philadelphia, in order to embark. Congress immediately ordered, that during his stay in that city, he should have full access to the archives of the government.

The minister of France offered him the French frigate *Romulus*, which was then at Baltimore, for his passage ; but, before the ice would permit her to leave the port, intelligence was received, that preliminaries of peace between the United States and Great Britain had been signed. Mr. Jefferson wrote to congress from Baltimore, to inquire whether the occasion of his services was not passed, and they, of course, dispensed with his leaving America.

On the sixth of June, 1783, Mr. Jefferson was again elected a delegate to congress, from the state of Virginia, but he did not take his seat in that body until the fourth of November following. The part which he immediately acted, was, of course, a prominent one, and we find him at once engaged in all the principal measures that occupied the public attention. Early in December, letters were received from the commissioners in France, accompanied with the definitive treaty between the United States and Great Britain, which had been signed at Paris on the third of September. They were immediately referred to a committee, of which Mr. Jefferson was chairman. On the fourteenth of January, 1784, on the report of this committee, the treaty was unanimously ratified, thus putting an end to the eventful struggle between the two countries, and confirming the independence which had already been gained. On the thirtieth of March, he was elected chairman of congress, and chairman also of a grand committee, instructed to revise the institution of the treasury department, and report such alterations as they should deem expedient. This they did, in an able report on the fifth of April, embracing a general and comprehensive view of the finances of the country ; a subject of infinite difficulty, and presenting obstacles which threatened to disturb the harmony of the union, to embarrass its councils, and obstruct its operations.

About this period, an opportunity was offered to Mr. Jefferson, of expressing again, as he had already so frequently done, his earnest desire to provide for the emancipation of the negroes, and the

entire abolition of slavery in the United States. Being appointed chairman of a committee, to which was assigned the task of forming a plan for the temporary government of the Western Territory, he introduced into it the following clause: "That after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the said states, otherwise than in punishment of crimes, whereof the party shall have been convicted to have been personally guilty." When the report of the committee was presented to congress, these words were, however, struck out.

On the seventh of May, congress resolved that a minister plenipotentiary should be appointed, in addition to Mr. Adams and Dr. Franklin, for the purpose of negotiating treaties of commerce. To this office Mr. Jefferson was immediately elected, and orders were issued to the agent of marine, to provide suitable accommodations for his passage to Europe.

In July, he sailed from the United States, and joined the other commissioners at Paris, in the following month. Full powers were given to them, to form alliances of amity and commerce with foreign states, and on the most liberal principles. In this useful design, they were occupied for a year, but not with the success that congress had anticipated; they succeeded in their negotiations, only with the governments of Morocco and Prussia. The treaty with the latter power, is so remarkable for some of the provisions it contains, that it may be looked upon as an experiment in diplomacy and national law. By it, blockades of every description were abolished, the flag covered the property, and contrabands were exempted from confiscation, though they might be employed for the use of the captor, on payment of their full value. This, it is said, is the only convention ever made by America, in which the latter stipulation is introduced, nor is it known to exist in any other modern treaty.

With Great Britain, also, a negotiation was attempted, but without success. The treaty of the preceding year, had, indeed, dissolved for ever the bands by which the two countries were united; but the ties of consanguinity, religion, manners, and, perhaps, of interest, seemed to point out by nature, an alliance somewhat more intimate, than that which usually exists between independent states. To effect this, Mr. Jefferson and Mr. Adams crossed over to London; and so anxious were they to promote a cordial connexion between the two countries, that among the terms they proposed to offer, was a mutual exchange of naturalization to the citizens and vessels of either nation, in every thing relating to commerce or com-

mercial navigation. On reaching London, they were received by the government with great respect. For several years after the treaty of independence, Great Britain does not appear to have bestowed much attention on her intercourse with America. Every attempt to procure a conference was evaded; the period for which the general commission was issued, was on the eve of expiring; and, after a fruitless visit of seven weeks to London, Mr. Jefferson returned to Paris.

On the tenth of March, 1785, Mr. Jefferson was unanimously appointed by congress, to succeed Dr. Franklin as minister plenipotentiary at the court of Versailles; and on the expiration of his commission in October, 1787, he was again elected to the same honourable situation. He remained in France until October, 1789.

While Mr. Jefferson resided in France, he was engaged in many diplomatic negotiations of considerable importance to this country, though not of sufficient general interest to require here a lengthened recital. Among the principal benefits then obtained, and continued to the United States until the period of the French revolution, were the abolition of several monopolies, and the free admission into France of tobacco, rice, whale oil, salted fish, and flour; and of the two latter articles into the French West India Islands.

During the period of his ministry, Mr. Jefferson took advantage of the leisure he occasionally enjoyed to make an excursion to Holland, and another to Italy. Each offered a useful lesson to a philosopher and statesman, the representative of a young and rising nation. Years had passed away, loaded with public cares, since he had indulged in those pursuits which formed so favourite an occupation for his mind; and now, placed at once in the midst of learning and elegance, admired for his genius, beloved for his modesty and kindness, received with open arms by the men whose names were most conspicuous for their talents and virtues, it will be readily believed, that he enjoyed the new scene around him with peculiar interest. The Abbé Morrellet translated his little work on Virginia, Condorcet and D'Alembert claimed him as their friend, and he was invited and welcomed among the literary institutions and circles of Paris. His letters, written at this time to his friends in America, display the versatility of his genius, and the attention he constantly bestowed on whatever was calculated to embellish or benefit society.

It was while Mr. Jefferson was in France, that the federal constitution was framed, from a general conviction of its necessity. But however Mr. Jefferson had contributed to impress this neces-

sity, and had communicated his ideas to his friends, he of course had no personal share in its formation.

In the month of October, 1789, Mr. Jefferson obtained leave of absence for a short time, and returned to the United States. While he was abroad, the new government had been successfully organized. In filling the executive offices, the president had, with that wisdom which marked all the acts of his public life, carefully selected those whose talents or previous employments, rendered them peculiarly fit for the duties of the stations to which they were appointed. After his arrival from France, and while on his way to Virginia, Mr. Jefferson received a letter from the president, offering him the option of becoming secretary of state, or returning to France, as minister plenipotentiary to that court. His feelings and his habits, alike urged him to the latter, but he could not, and did not refuse to acquiesce in the very strong desire expressed by the president, that he would afford the aid of his talents to the administration at home.

Of all the offices under the government of the United States, there is no one, perhaps, which calls for the exercise of such various abilities, such extensive knowledge of laws and facts, such prompt decision on questions involving principles of the highest political import, as the department of state; and in proportion to the infancy of the office itself, and the new and peculiar situation of the government, was the difficulty of the task assumed by Mr. Jefferson. The subsequent events of his political life have been tinged by the hue of party, and perhaps the time has not arrived when we can view them with strict impartiality, and weigh the policy of his measures without dwelling too much on circumstances merely temporary or local. But all unite in the candid acknowledgment, that the duties of this station were performed with a prudence, intelligence, and zeal, honourable to himself and useful to his country. In the intercourse with foreign nations, the laws of a strict neutrality, at a period of peculiar difficulty, were maintained with unyielding firmness and consummate ability; the dignity of the nation was remembered and supported; and the interests of the citizens were cherished and protected. At home, he turned his attention to objects of a minuter character, but of equal importance; he laid before congress, from time to time, reports on various branches of domestic policy, which displayed at once the extent and variety of his genius, the depth of his information, and the zeal with which he applied them both to the peculiar duties of his situation. It has

been observed, that these papers evince not only the feelings of a patriot and the judgment of an accomplished statesman, but display, at the same time, uncommon talents and knowledge as a mathematician and natural philosopher, the deepest research as an historian, and even an enlarged and intimate acquaintance with the business and concerns of a merchant.

Mr. Jefferson had scarcely entered on his office, when congress referred to him a subject whose nature and importance called for the exercise of a mature judgment, while its intricacy was such, as to require in the investigation, more than ordinary scientific knowledge. They directed him to prepare and report a plan, for establishing a uniform system of currency, weights, and measures. This was a subject which, it was admitted on all hands, demanded very serious attention. It had already attracted the notice of the most enlightened European nations; and a partial experiment in one branch, that of the public currency, had been received throughout the United States, with general approbation and unexpected success. The established system of weights and measures, was alike inconvenient and absurd. In the ages of feudal ignorance when the sallies of passion, the dictates of unrestrained ambition, or the gratification of each changing caprice, were all that a monarch asked as the foundation of his laws, it was at least not inconsistent, that the length of his arm or foot should regulate the measures of the nation. But the necessities of modern commercial intercourse seem to demand a scale more certain and convenient, while the improvements of modern science, offered standards of unerring correctness and uniformity. The first object that presents itself in such an inquiry, is the discovery of some measure of invariable length. For this purpose, Mr. Jefferson proposed to select a pendulum vibrating seconds; and after answering the various objections which may be made to such a standard, he submits to congress two alternative plans for its adoption. By the first, he proposes, that if, in the opinion of congress, the difficulty of changing the established habits of the nation, renders it expedient to retain the present weights and measures, yet that they should be rendered uniform and invariable, by bringing them to the same invariable standard. With this view, he enters minutely into the details of the present system, its history, the remarkable coincidence to be discovered in some of its varieties, its useless inconsistencies, and the extreme ease, and trifling variation, with which it may be rendered uniform and stable. But, in the second place, he proceeds

to say, "if it be thought, that either now or at any future time, the citizens of the United States may be induced to undertake a thorough reformation of their whole system of measures, weights, and coins, reducing every branch to the same decimal ratio already established in their coins, and thus bringing the calculation of the principal affairs of life within the arithmetic of every man who can multiply and divide plain numbers, greater changes will be necessary."

On the eighteenth of January, 1791, Mr. Jefferson made a report, as secretary of state, on the subject of tonnage duties payable by France. Very soon after the meeting of the first congress, the same subject had been discussed in that body, with considerable animation, and an act had passed the house of representatives, embracing a discrimination in these duties highly favourable to France. The principle thus adopted, coincided with the general sentiments of the nation, and appeared to be called for, not by this circumstance only, but by the strongest dictates of national gratitude, as well as those of sound policy. The discrimination, however, was rejected by the senate, and the house of representatives were obliged reluctantly to yield. What it was thus deemed inexpedient to grant, even as a matter of favour or policy, the French government demanded as a right, under the treaty of amity and commerce of 1778. The demand was referred to Mr. Jefferson, by the president, and elicited from him the able report to which we have alluded.

But the foreign relations of the country were not the only subject on which the opinions of congress were divided, during the session of 1791. The secretary of the treasury, in introducing his celebrated system of finance, had recommended the establishment of a national bank, as necessary to its easy and prosperous administration. A bill, conforming to the plan he suggested, was sent down from the senate, and was permitted to proceed unmolested, in the house of representatives, to a third reading. On the final question, however, a great, and it would seem an unexpected opposition, was made to its passage; and, after a debate of considerable length, which was supported on both sides with ability, and with that ardour which was naturally excited by the importance attached by each party to the principle in contest, the question was put, and the bill carried in the affirmative by a majority of nineteen voices.

The point which had been argued with so much zeal in the house of representatives, was examined not less deliberately by the executive. The advice of each minister, with his reasoning in sup-

port of it, was required in writing, and their arguments were considered by the president with all that attention which the magnitude of the question. and the interest taken in it by the opposing parties, so eminently required.

The opinion of Mr. Jefferson, and it agreed with that of the attorney general, was decided. He believed that congress, in the passage of the bill, had clearly transcended the powers granted them by the constitution.

The views of the secretary of the treasury were equally decided, in favour of the establishment. The president, after receiving their opinions, weighing their reasons, and examining the subject, deliberately made up his mind in favour of the constitutionality of the law, and gave it the sanction of his name.

On the first of February, 1791, Mr. Jefferson presented to the house of representatives, an elaborate and valuable report, on the subject of the cod and whale fisheries. Before the revolution, a large number of seamen, and a great amount of tonnage, were successfully employed in this trade; but during the war it had been almost annihilated, and now required the immediate and efficient aid of the government to restore it. It was too valuable to be neglected. To a maritime nation, its preservation was of vital and acknowledged importance. It afforded employment and subsistence to the inhabitants of a sandy and rocky district, who had no resource in agriculture; by augmenting the quantity of food, it reduced the prices of all the necessaries of life, and thus improved the condition of the labouring classes, especially on the sea coast; it was the means of rearing and supporting a hardy race of men; useful alike in extending and defending the commerce of the country, as it afforded a sure nursery of excellent seamen, both for the public vessels, and the rapidly increasing trade of the United States; an object of immense importance, when the scarcity of labour, and the readiness with which employment could be found, in less arduous pursuits, were taken into view. Impressed with these considerations, congress very early determined to give the subject that investigation, which its importance demanded. The report of Mr. Jefferson was accordingly made. In it he enters, with sufficient minuteness, into an historical view of the rise and progress of the trade, both among ourselves and foreign nations; he points out distinctly the facilities afforded by our situation, the cheapness and excellence of our vessels, and the superiority of our mariners; the disadvantages under which we labour, from the prohibitory policy of other

nations, and the means they have used, directly and indirectly, to destroy our trade; and concludes with recommending to congress, the adoption of such measures as he conceives sufficient to restore the confidence and energy of those engaged in it, to defeat the efforts of foreign governments, and open new markets for our enterprise. The utility of these measures was acknowledged, and the adoption of this policy has secured to us a branch of trade and domestic enterprise, which cannot be too highly appreciated.

Towards the close of this year, 1791, Mr. Jefferson became involved in a discussion with Mr. Hammond, the British minister, of considerable length and importance. It arose, in the first instance, out of the provisions in the original treaty of peace, between the United States and Great Britain. Soon after the termination of the war, each party had charged the other with a violation of its engagements. The charge could not be entirely controverted by either. At length, however, the opening of a diplomatic intercourse, by the reception of Mr. Hammond and the appointment of Mr. Pinckney, seemed to afford a proper opportunity for bringing these differences to a close, and for fixing the principles, which might serve as the basis of a definitive commercial arrangement between the two countries. Accordingly, soon after the arrival of the British minister, Mr. Jefferson called his attention to the seventh article of the treaty, which contained stipulations against carrying away negroes or destroying any American property; and secured the removal or evacuation by the British forces, of all posts within the limits of the United States. To this letter Mr. Hammond promptly replied, that his government had only been induced to suspend the execution of that article, by the non-compliance of the United States with the engagements they had made, in the same treaty, to secure the payment of debts justly due to British creditors; and, to stop all confiscations and prosecutions against British subjects. This was followed on both sides, by an exposition of the various circumstances relied on to support the grounds that had been respectively assumed; and while, on the one hand, the refusal to evacuate the military stations was acknowledged, it cannot, on the other, be denied, that the terms of the treaty did not appear, in several important instances, to have been strictly complied with. To account for this, Mr. Jefferson, on the twenty-second of May, addressed to Mr. Hammond a long and circumstantial letter. To this letter, no reply was ever received; and, although the subject was from time to time renewed, it seems to have been attended with no other result, than confirming

each party in its original impressions. The whole controversy was finally merged in the more important differences which afterwards arose between the two countries, and was incorporated at length in the definitive negotiations which terminated in the treaty of 1794.

Nor was Great Britain the only country, with which the United States were, about this time, involved in a controversy of much delicacy and importance. As early as the revolutionary war, the Spanish government appears to have contemplated, with considerable apprehension, the probable future strength of the new republic and to have strongly desired to restrain it, within the most confine limits, towards the south and west. After the conclusion of the war, attempts to form a treaty had been repeatedly made, but without any advance towards an agreement on the point of difference between the two countries. These points were chiefly, the settlement of our boundaries, the exclusion of our citizens from navigating the Mississippi below our southern limits, the interference with the neighbouring Indian tribes, the restitution of property carried away, the surrender of fugitives from justice escaping within the territories of each other, and the arrangement of the general principles of a commercial treaty. About the close of the year 1791, however Mr. Jefferson reported to the president, that the Spanish government, apprised of our solicitude to have some arrangement made, respecting the free navigation of the Mississippi, were ready to enter into a treaty on the subject at Madrid. This, it was true, referred merely to one of the matters then unsettled, but it was of too much importance to be neglected; and accordingly commissioners were appointed without delay, to proceed to Spain, and their powers were extended to include the other arrangements, which it was desired should be made between the two countries. In the spring of 1792, Mr. Jefferson drew up his observations on the several subjects of negotiation, to be communicated by way of instruction to the two commissioners. As the negotiation itself was one of the most difficult, intricate, and vexatious in which the government has ever been engaged, so are these documents among the most important and valuable, that have arisen out of our relations with foreign powers.

The letter of Mr. Jefferson thus concludes: "If we are disappointed in this appeal—if we are to be forced into a contrary order of things, our mind is made up; we shall meet it with firmness. The necessity of our position will supersede all appeal to calculation

now, as it has done heretofore. We confide in our own strength without boasting of it: we respect that of others without fearing it. If Spain chooses to consider our self-defence against savage butchery as a cause of war to her, we must meet her also in war—with regret, but without fear; and we shall be happier, to the last moment, to repair with her to the tribunal of peace and reason." All the efforts of Mr. Jefferson were in vain; the negotiation was protracted by artificial delays: and it was not until some years after, that Spain reluctantly consented to accede to a few of the propositions which had been so often and so zealously urged by the United States.

In the spring of the year 1793, a negotiation was begun, arising out of circumstances more directly affecting the present and future situation, and involving the political rights of the United States, than any that had occurred since the formation of the constitution. It was the question of her neutral policy and rights. Early in April, the declaration of war made by France against Great Britain and Holland, reached America. Scarcely was this event known, before indications were given in some of the seaports, of a disposition to engage in the unlawful business of privateering on the commerce of the belligerent powers. The subject was too interesting and important to be treated either with precipitation or neglect; and on the nineteenth of April, the heads of department and the attorney general met at the president's house, to consult with him on the measures which the occasion demanded. The president submitted to his council a proclamation, forbidding the citizens of the United States to take part in any hostilities on the seas, with or against any of the belligerent powers; warning them against carrying to any of those powers articles deemed contraband according to the modern usages of nations, and enjoining them from all acts inconsistent with the duties of a friendly nation towards those at war. The adoption of this proclamation was unanimously advised; and it was accordingly issued on the twenty-second of April.

The next point submitted by the president, was the propriety of receiving a minister from the French republic; this he was advised to do with equal unanimity.

The principles thus established were called into immediate operation. The citizen Genet, a gentleman of considerable talents, but of a temper naturally ardent, and particularly excited by the passions and politics of the day, arrived just at this time in Charleston, as minister from France. He was welcomed by the people with

unbounded and not unnatural enthusiasm, as the first representative of a new republic, and the ambassador of an old and generous ally. From the publications of that period, his progress through the country seems rather to have been a triumphal procession, than the journey of an unknown stranger; and in the failure of his subsequent measures, he could look only to their impropriety, and his own intemperance or imprudence. Either distrusting the concurrence of the American government, or too ardent to wait for it, in a few days after his landing in Charleston, he undertook to authorize the fitting and arming of vessels in that port, enlisting men, and giving commissions to cruise and commit hostilities on nations with which the United States were at peace. These proceedings, of course, produced immediate complaints; and before the arrival of the ambassador at the seat of government—before he was accredited as a minister, a long catalogue of grievances committed by him, had been made to the president. Mr. Jefferson immediately addressed a letter to Mr. Ternan, the French minister, residing at Philadelphia. In it he candidly stated the determination of the government, and expressed his surprise at the assumption of jurisdiction by an officer of a foreign power, in cases which had not been permitted by the nation within whose limits it had been exercised.

Mr. Genet arrived in Philadelphia on the following day; and from that period a correspondence commenced, which was continued without interruption as long as Mr. Jefferson occupied the department of state. The letters of Mr. Jefferson take up, in succession, the different assertions which were made, and views which were entertained, by the French ministry; answering and refuting them, always with success, and frequently with singular happiness and ingenuity. The language and conduct he had used in his intercourse with the American government, and the unwarrantable expressions in which he had indulged, when speaking of the illustrious man at its head, were treated with the indignation and contempt they merited. The spirit of friendship for the nation was carefully preserved, while the unauthorized aggressions of its agent were resisted, and his insinuations repelled and denied. This correspondence, indeed, forms one of the most important features in the history of the United States, as it is the foundation of a policy which it has been the invariable aim of the government since that period to follow; and it contains nearly all the important principles in the conduct of a neutral nation, which have since been more fully developed and supported.

Mr. Jefferson's participation in the government was now drawing

to a close. As his last important official act, in pursuance of a resolution passed some time before, he presented to congress on the sixteenth of December, 1793, a report on the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and the measures which he thought proper to be adopted for the improvement of their commerce and navigation.

In this report, which has been ever considered as one of great importance, he enumerates, in the first place, the articles of export, with their value to the several nations with whom we have carried on a commercial intercourse. He then proceeds to point out minutely, the various restrictions which they have placed on that intercourse, and calls the attention of congress to the best modes of removing, modifying, or counteracting them. These he states to be twofold: first, by friendly arrangements with the several nations with whom these restrictions exist: or, secondly, by separate legislative acts for countervailing their effects.

He gave a decided preference to friendly arrangements. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, he thought it was desirable that it should be relieved from all its shackles in all parts of the world. If even a single nation would unite with the United States in this system of free commerce, he deemed it advisable to begin it with that nation; while, with regard to such as supposed, contrary to the wishes of America, that it was more advantageous to continue a system of prohibitions, duties, and regulations, it would behoove the United States to protect their citizens, their commerce, and navigation, by counter prohibitions, duties, and regulations also. These views are then pursued at considerable length—the protection of our navigation strenuously recommended; the principles of national reciprocity pointed out and enforced; and the necessity, or at least the propriety advocated, should these principles be neglected, of establishing regulations and prohibitions co-extensive with those experienced by the United States: but finally indulging the hope that friendly arrangements may be made, equally beneficial to all commercial nations.

As this measure was the last official act of Mr. Jefferson, so it may be considered as that which finally arrayed the statesmen of the nation under the banners of two great political parties which have since existed, and placed him at the head of those who, as advocates of the system he proposed, were for some years in a minority of the legislature. Connected with his previous acts, it also sub

jected him not only to personal reproach, but to many charges, as an unwise politician, whose plans were calculated to injure the commerce of his country, and involve it in a foreign war. To this, however, it might be properly replied, that it was but the continuation of a system adopted immediately after the close of the revolutionary war, and to enforce which, had been the prominent object of the convention that terminated in the formation of the federal constitution; that our own maritime rights and commercial prosperity could be maintained only by a proper discrimination in our intercourse with foreign nations; and that it was directed solely against those countries who refused to enter into treaties with us, and who, of course, could have no colour of complaint, after such refusal. In the measure itself, therefore, there was nothing opposed to the well-settled policy of the United States, and still less, any thing which could afford even a plausible pretext for war.

On the thirty-first of December, 1793, Mr. Jefferson resigned the office of secretary of state, and retired once more to private life. At the present day, when the heat of prejudice and party has subsided, no one will attribute to those who thus differed from Mr. Jefferson, views which were intentionally inimical to the interests or prosperity of their country; but without so doing, it may be asserted that there were so many points of foreign and domestic policy, in which the opinion of his colleagues varied from his own, that retirement was the only course left for a statesman, who felt the value of his own principles, and wished to act with firmness and generosity. He carried with him into his seclusion, not only the kind feelings of the great man who had selected him for the post he had filled, but the warm attachment of a large proportion of his fellow citizens.

From this period, Mr. Jefferson devoted himself to the education of his family, the cultivation of his estate, and the pursuit of his philosophical studies, which he had so long abandoned, but to which he now returned, with new ardour. Amid such employments there is little which a biographer can find to notice; yet perhaps it will not be considered superfluous, to introduce the remarks which were made by a well known French traveller, who visited him at Monticello, about this time. "His conversation," says the Duke de Liancourt, "is of the most agreeable kind, and he possesses a stock of information not inferior to that of any other man. In Europe he would hold a distinguished rank among men of letters, and as such he has already appeared there. At present he is employed with

activity and perseverance in the management of his farms and buildings, and he orders, directs, and pursues, in the minutest detail, every branch of business relating to them. The author of this sketch found him in the midst of harvest, from which the scorching heat of the sun does not prevent his attendance. His negroes are nourished, clothed, and treated as well as white servants could be. As he cannot expect any assistance from the two small neighbouring towns, every article is made on his farm: his negroes are cabinet makers, carpenters, masons, bricklayers, &c. The children he employs in a nail manufactory, which yields already a considerable profit. The young and old negroes spin for the clothing of the rest. He animates them by rewards and distinctions; in fine, his superior mind directs the management of his domestic concerns with the same abilities, activity, and regularity, which he evinced in the conduct of public affairs, and which he is calculated to display in every situation of life."

The only incident relative to him, during this period, which we find recorded in the public documents of the day, was his unanimous election, as president of the American Philosophical Society, the oldest and most distinguished institution of the kind in the United States. The chair had first been filled by the illustrious Franklin, the great and good patron of every thing which tended to promote the learning, science, or happiness of his country; and by Rittenhouse, the most distinguished astronomer of the age.

The situation of the country did not, however, permit Mr. Jefferson long to enjoy the pleasures of a private life. General Washington had for some time contemplated a retirement from office, and in his farewell address to the people of the United States, he had, in the month of September, 1796, declined being considered any longer a candidate for it. The person in whom alone the voice of the whole nation could be united, having thus withdrawn, the two great parties respectively brought forward their chiefs. Mr. Jefferson was supported by the one, Mr. Adams by the other. In February, 1797, the votes for the first and second magistrates of the union were opened and counted in the presence of both houses; and the highest number appearing in favour of Mr. Adams, and the second in favour of Mr. Jefferson, the first was declared to be the president, and the second the vice president of the United States, for four years, to commence on the fourth day of the ensuing March. On that day, Mr. Jefferson also took the chair as president of the senate, and delivered to that body a short address, in which he ex

pressed his firm attachment to the laws and constitution of his country, and his anxious wish to fulfil, with correctness and satisfaction, the duties of the office to which he had been chosen.

During the four succeeding years, much of Mr. Jefferson's time was passed tranquilly at Monticello. From the nature of our constitution, there is little which can call the vice president into the prominent political duties of the government, unless he is required to fill the station of the chief magistrate. It is not, therefore, a matter of surprise, that during this period, we find but little notice of him among the public records of the day.

As, however, the time approached for a new election of a president, the republican party again selected Mr. Jefferson, as their candidate for the office, and with more success than on the preceding occasion. Yet an accident, arising from inattention to the constitution, went near to defeat the acknowledged wishes and intentions of the people, and to place in the executive chair, an individual to whom it was notorious no vote had been given for that station. The democratic party had elected Mr. Jefferson as president, and Mr. Burr as vice president of the United States, by an equal number of votes; but, as the constitution required no specification of the respective office to which each was selected, they came before congress, neither having the majority required by law. Under these circumstances, the election devolved on the house of representatives, and the opponents of Mr. Jefferson, taking advantage of the occurrence, threw their votes into the scale of Mr. Burr. In the heat and violence of party, much may be excused which calls down our severest animadversions in times of less excitement. Week after week was the nation kept in suspense, while a contest was fiercely maintained, by which it was attempted to raise to the highest office of the nation, a man who had not received a solitary vote from the people, in opposition to one, who for thirty years had been a distinguished member of their councils, who had held the highest offices of the government, who was fitted for the station alike by his experience, his services, and his virtues, and who, above all, was notoriously the choice of a majority of the nation. At length, after thirty-five ineffectual ballots, one of the representatives of the state of Maryland, made public the contents of a letter to himself, written by Mr. Burr, in which he declined all pretensions to the presidency; and authorized him to disclaim, in his name, any competition with Mr. Jefferson. On this specific declaration, on the part of Mr. Burr, two federal members, who repre-

sented the states which had heretofore voted blank, withdrew, and permitted the republican members from those states to become a majority; and, instead of putting a blank into the box, to vote positively for Mr. Jefferson. Consequently, on the thirty-sixth balloting, Mr. Jefferson was elected president. Colonel Burr, became, of course, vice president.

On the fourth of March, 1801, Mr. Jefferson took the oath of office in the presence of both houses of congress, and delivered his inaugural address. He expressed in this, his sincere diffidence in his powers, properly to fulfil the task which his countrymen had assigned him; seeing, as he did, the honour, the happiness, and the hopes of his beloved country, committed to the issue and auspices of that day; and fully conscious of the magnitude of the undertaking, he indulged the hope, that as the contest of opinion had now been settled, by the rules of the constitution, all parties would unite, in common efforts for the common good; that harmony and affection, without which, liberty and even life itself are but dreary things, might be restored to social intercourse; and that though called by different names, as all were in truth brethren of the same principle, the invidious distinctions of party might cease. He exhorted them, with courage and confidence to pursue the principles of government they had adopted; a government which would restrain men from injuring one another, but leave them otherwise free to regulate their own pursuits of industry and improvement, and not take from the mouth of labour the bread it had earned. This he said, was the sum of good government: and this necessary to close the circle of our felicities.

It would not be consistent either with the character or length of this memoir, to enter into the details of the public measures of Mr. Jefferson, while he occupied the presidential chair. His administration embraces a long and interesting period in the history of our country, distinguished by important measures, whose consequences have been felt in later periods, and which have led to results affecting, in no inconsiderable degree, the honour and prosperity of the nation. These are subjects which demand the research and deliberation of an acute historian; the present article aims to be nothing more than a cursory, though faithful biography.

In December, 1801, Mr. Jefferson sent his first message to both houses of the legislature. It had been the custom thus far, since the formation of the government, for the president to deliver in person this communication to congress, and for that body to reply at

once in a formal address. In the change now made by Mr. Jefferson, he appears to have had in view, at once, the convenience of the legislature, the economy of their time, their relief from the embarrassment of immediate answers on subjects not yet fully before them, and the benefits thence resulting to the public affairs. In these respects, its advantages have been so apparent, that it has been invariably adopted on every subsequent occasion.

In addition to these causes, there can be little doubt, however, that this was one of the modes adopted by Mr. Jefferson to give a more popular feature to the administration. No one had a better opportunity of perceiving the influence of forms, even trifling ones, in the affairs of government, or had entered more fully into the spirit of the age, for abolishing such as were useless.

During the succeeding four years, the external policy of the country was pursued, so as to increase its prosperity and to secure its rights. The aggressions of the Tripolitans were gallantly and promptly chastised, and the attempts made by the agents of the Spanish government, to violate their treaties and deprive our citizens of the rights guaranteed to them, of navigating the Mississippi, were immediately noticed and repelled. The privileges, indeed, which had been secured to the inhabitants of the western country, were of vital importance to its prosperity; yet they had ever been the subject of jealousy and invasion. We have already seen, that during Mr. Jefferson's administration of the department of state, this was an object that engaged much of his attention. That attention he now renewed, and, after considerable negotiation, it terminated in the purchase of Louisiana, one of the most important acquisitions ever made by the people of the United States. "Whilst the property and sovereignty of the Mississippi and its waters," to use Mr. Jefferson's own language, "secured an independent outlet for the produce of the western States, and an uncontrolled navigation through their whole course, free from collision with other powers, and the dangers to our peace from that source, the fertility of the country, its climate and extent, promise in due season important aids to our treasury, an ample provision for our posterity, and a wide spread for the blessings of freedom and equal laws." On the twentieth December, 1803, the territory was formally surrendered to the United States by the commissioner of France.

During the same interval, the internal policy of the United States underwent several important changes, all calculated to develop the admirable and peculiar nature of our institutions, and to support

and preserve the principles on which they are founded. Measures were adopted for the speedy discharge of the public debt, thus early establishing among all nations, the credit and integrity of the new government. The judicial system, founded by those who formed the constitution, had been hastily departed from during the preceding administration; it was now restored on its original plan, which was deemed more consonant to our institutions, and is still retained as the best, after all the change of circumstances and parties. A salutary reduction was introduced into the habitual expenditures of the government, by curtailing the charges that arose from our diplomatic intercourse with foreign nations, and unnecessary agencies at home. Offices created by the executive, and tending to increase its influence, were voluntarily suppressed. And the president presented the unusual, but noble spectacle of a chief magistrate relinquishing power and patronage, where he could do so, and where he could not, seeking the aid of the legislature for the same honourable purpose.

Nor was it only by political measures that the internal prosperity of the country was consulted and promoted. It is a charming feature in the life of Mr. Jefferson, that, amid all the occupations and absorbing interests of his political career, he never forgot, or neglected the cause of philanthropy and science. The purchase of Louisiana, afforded an opportunity for accomplishing a plan he had long formed, for a minute and scientific examination of the immense territory of the west, which spreads from the Mississippi to the Pacific. This measure he proposed to congress; and on its receiving their sanction, he appointed for the purpose, Captain Lewis and Lieutenant Clarke, two intelligent officers in the army of the United States. He drew up for them himself, a set of instructions, pointing out to their attention, the various objects towards which their investigations would be most advantageously directed; the geography, the natural history, the climate, the resources, and the peculiarities of the region through which they were to pass; the number and situation of the various Indian tribes; the establishment of commercial and friendly relations with them; and the best means for accomplishing the objects of the expedition. It was attended with all the success that could be desired. The party embarked at St. Louis, in May, 1804; ascended the Missouri three thousand miles to the falls; thence crossed the Rocky Mountains, covered with perpetual snow, and after descending for four hundred miles by various streams, they reached the navigable waters of Columbia river; the course of

this they followed for six hundred and forty miles, until they arrived at the Pacific Ocean. They reached St. Louis, on their return, in September, 1806, after an absence, from all civilization, of more than twenty-seven months. The journey from St. Louis, was above four thousand miles; in returning, thirty-five hundred; making, in the whole, seven thousand five hundred miles. The mass of information collected in the expedition was valuable and extensive; it was equally advantageous to the scientific and political institutions of the country; and it led the way for similar expeditions, each of which has proved the skill with which it was arranged, and the benefits that have arisen from it.

So much were the measures adopted by Mr. Jefferson, during the four years for which he had been chosen, approved by his country, that, as the period approached for a new election, his popularity increased more and more, and he was elevated to the presidency a second time, by a majority which had risen from eight votes to one hundred and forty-eight. During the course indeed of his administration, the press, in its full licentiousness, had been directed against him, and, as he observed himself, the experiment had been fully made, whether freedom of discussion, unaided by power, was not sufficient for the propagation and protection of truth. It had been fairly proved, he said, that a government conducting itself in the true spirit of its constitution, with zeal and purity, and doing no act which it would be unwilling the world should witness, could not be written down by falsehood and defamation; but that the people, aware of the latent source from which these outrages proceeded, would gather around their public functionaries, and when the constitution called them to the decision by suffrage, they would pronounce their verdict—honourable to those who had served them, and consolatory to the friend of man, who believes he may be intrusted with his own affairs.

He entered a second time on the duties of his lofty station, deeply feeling the proof of confidence which his fellow citizens had given him. He asserted his determination to act up to those principles, on which he believed it his duty to administer the affairs of the commonwealth, and which had been already sanctioned by the unequivocal approbation of his country. "I do not fear," he said, in concluding his inaugural address, "I do not fear that any motives of interest may lead me astray; I am sensible of no passion which could seduce me knowingly from the path of justice; but the weaknesses of human nature and the limits of my own understanding

will produce errors of judgment sometimes injurious to your interests; I shall need, therefore, all the indulgence I have heretofore experienced: the want of it will certainly not lessen with increasing years. I shall need too the favour of that Being in whose hands we are—who led our forefathers, as Israel of old, from their native land, and planted them in a country flowing with all the necessaries and comforts of life; who has covered our infancy with his providence, and our riper years with his wisdom and power.”

Mr. Jefferson had scarcely entered on his office, before his attention was called to an event obviously calculated to destroy the domestic tranquillity of the country, if not the constitution and Union itself. This was no other than what has been termed the conspiracy of Colonel Burr. We have already mentioned the unforeseen accident which had nearly elevated this gentleman to the presidency. Since that time, he had aimed at the office of governor of the state of New York, without success: and at a recent election, had been succeeded by Mr. Clinton, as vice president of the United States. Of an ardent and ambitious spirit, these disappointments seem to have urged him to some desperate enterprise not consonant to his general duties as a citizen, if not expressly contrary to the laws of his country. Assuming the unfriendly measures of the Spanish government on the south-western frontier as the cause or pretext of his conduct, and holding out to the young and aspiring the alluring idea of establishing in its provinces a new republic, he succeeded in drawing many of his countrymen into his schemes. That his real views, however, extended beyond this, has been generally presumed, though what they precisely were has never been known. Many believed that the enterprise, which it was ascertained was to originate in the western country, had for its object the separation of the states beyond the Allegheny mountains, from their political connexion with those on the Atlantic border: and by uniting them with the territories on the western bank of the Mississippi, the formation of a distinct and independent empire. Whatever may have been the ultimate object of his plans, as soon as Mr. Jefferson received information that a number of private individuals were combining together, arming and organizing themselves contrary to law, with the avowed object of carrying on some military expedition against the territories of Spain, he took measures without delay, by proclamation as well as by special orders, to prevent and suppress the enterprise—to seize the vessels, arms, and other means provided for it, and to arrest and bring to justice its authors

and abettors. His scheme being thus discovered and defeated, Colonel Burr fled: but was eventually apprehended on the Tombigbee, and escorted as a prisoner of state, under the guard of a military officer, to Richmond in Virginia. On his arrival in that city, he was delivered over to the civil authority, by virtue of a warrant from the chief justice of the United States, grounded on charges of a high misdemeanor, in preparing and setting on foot within their territories a military expedition, to be carried thence against the dominions of the king of Spain, with whom we were at peace; and also of treason against the United States. At the close of a long examination of witnesses, he was bound over to take his trial on the first charge: the chief justice not deeming the evidence of an overt act of treason sufficient to justify a commitment on the latter. On the seventeenth of August, 1807, he was brought to trial. Several days were consumed in the examination of witnesses, and in the discussion of the law of treason, as it arose out of the constitution. The assemblage of the individuals was proved; but the evidence was not legally sufficient to establish the presence of Colonel Burr, or the use of any force against the authority of the United States. The consequence was the acquittal of the prisoner. On the meeting of congress, a few months after, Mr. Jefferson laid before them the proceedings and evidence which had been exhibited at the trial. From these, he stated to them, they would be enabled to judge whether the defect was in the testimony, in the law, or in the administration of the law; and wherever it should be found, the legislature alone could apply or originate the remedy. The framers of our constitution certainly supposed they had guarded, as well their government against destruction by treason, as their citizens against oppression, under pretence of it, and if these ends were not attained, it was of importance to inquire by what means more effectual they might be secured.

The foreign relations of the country, however, at this period, involved questions of infinitely greater importance than any which arose from its domestic troubles. Nearly the whole revenue of the United States then depended on its external commerce; the situation of the world rendered that commerce as lucrative as it was extensive; and every act which affected its prosperity, was a vital injury to the welfare of the country.

It would at this moment be more than useless, to enter into the numerous aggressions which had been committed on the rights, character, and commerce of the United States, both by Great Britain

and France, from the commencement of the war between them in 1793, or to rake from their ashes the innumerable facts and still more innumerable controversies to which they gave rise, not only between those nations and the United States, but among the citizens of the last, according to the light in which they viewed the conduct of the two great parties. It is sufficient to recollect, that from the commencement of the war, both the great belligerent powers seemed to view the United States as a country to which that course of conduct was to be dictated as neutral, which was congenial to their own views or interests, and each assumed to punish in the neutral, what it chose to consider as favour to its enemy. In fact, each presuming on the weakness of the United States to defend its property on the seas, had inflicted upon them the most severe and unprincipled aggressions. Which nation exceeded the other in violence of conduct or in want of principle, although a great party question at the time, it is now perhaps unnecessary to inquire. In the early part of the war, when both were powerful on the ocean, both had resort to open and avowed national acts, which, followed up by the spirit of plunder in their navies, and the insatiable thirst for privateering, had at times nearly swept the American commerce from the ocean; and this was accompanied by innumerable seizures under the most aggravating circumstances. All these, however, had been parried by the government of the United States, partly from a sense of the deplorable consequences which, in its infant establishment, must have attended a war with either of the belligerents, and partly from the great advantages that attended its neutral situation and extensive commerce, even under all the injuries it sustained. The period that had elapsed, therefore, from the beginning of the war between Great Britain and France, to the presidency of Mr. Jefferson, had been consumed in a series of remonstrances and negotiations between the United States and the belligerents, which in no inconsiderable degree raised the character of the former, though they did not settle the great principles on which their neutrality and commerce were to be regulated and respected.

The object and scene of conflict, however, had now materially changed. France and the nations who took part with her, had by this time lost their colonies, and been swept from the seas, of which Great Britain remained the powerful mistress; while, on the other hand, she had been driven from the continent by the ascendancy of France. In this situation, with the predominance of one by land and of the other on the ocean, the points of contact remained but

few, while the animosity of each attempted to wound the other in every assailable point; England by subsidizing the powers of the continent, and France by a war of extermination against British commerce.

This contest produced, as is well known, a new scene of boundless depredation, under a new series of hostile recriminating acts, of which, whatever was the effect upon the parties themselves, the destruction of all neutral commerce was the obvious consequence. But the acts of France, however severely carried into effect within the limits it could command, were confined in their operation, while the scope for injury by Great Britain was boundless; and, of course, it was with her during all the war, but particularly the latter stage of it, that collisions became more frequent, and the measures of the United States more prominent, so much so, that this very circumstance gave a tinge to the character of the transactions themselves.

It is certain, however, that there were some circumstances which, independent of the serious injury common to both the belligerents, were peculiar to the situation of the United States and Great Britain with each other, particularly the right of searching neutral ships for enemy's goods, the revival of what was called the rule of war of 1756, prohibiting neutrals from trade which they had not enjoyed in time of peace, and the search for, and impressment of English subjects and seamen. The first of these had been conceded by the United States, in their first treaty with England, and again in Mr. Jay's treaty, while it had not been admitted in the treaties with France; the second had been in some degree modified in the negotiations with England; but the third was a measure so important to both parties, upon principles so directly opposite to each other, as to constitute in itself alone a cause of disquietude, the most aggravating of all others. Bitterly, indeed, did it come home to the feelings of the people of the United States, that their vessels should be searched on the seas to determine the character of their citizens, that such determination should be left to ignorant or unprincipled officers, and those citizens themselves taken by force to fight the battles of other nations, beyond the protection of their own government and laws, deprived of their natural rights and the inherent liberty of their country.

All these had, for a long time previous, been the subjects of continual but unavailing negotiation, in common with the general causes of complaint against both nations, and had produced some hostilities, particularly those with France, during Mr. Adams' administra-

tion. Upon the accession of Mr. Jefferson, however, the foreign relations of the United States reposed upon the recent peace with France in 1800, and Mr. Jay's treaty with England, and these were soon followed by the general peace of Amiens, when our government had only to prosecute its demands for the injuries and spoiliations its citizens had sustained. Of these, a part of what was claimed from France, was obtained by the purchase of Louisiana, and the rest, with the claims on England and other countries, remained in common, with all other sources of complaint, the subject of negotiation.

Upon the rupture of the peace of Amiens, the ships of the United States became again the carriers of the world, and its commerce as unbounded as before. In this situation, it was in the highest degree the interest, as it was before the desire of the people, to pursue a course of rigid neutrality, and Mr. Jefferson declared it their policy to cultivate the friendship of the belligerent nations, by every act of justice and innocent kindness; to receive their armed vessels with hospitality from the distresses of the sea, but to administer the means of annoyance to none; to establish in our harbours such a police as might maintain law and order; to restrain our citizens from embarking individually in a war in which their country took no part; to punish severely those persons, citizen or alien, who should usurp the cover of our flag for vessels not entitled to it, infecting thereby with suspicion those of real Americans, and involving us in controversies for the redress of wrongs not our own; to exact from every nation the observance, towards our vessels and citizens, of those principles and practices which all civilized people acknowledge; to merit the character of a just nation, and maintain that of an independent one, preferring every consequence to insult and habitual wrong.

The justice of these principles was not, as it could not be, denied; but the practice of them was soon put to a severe trial, by the aggressions of the belligerent powers, which seemed to increase with their vindictiveness against each other, and the prosperous commerce and situation of the United States. The attacks and depredations renewed against the colonial trade, as a war in disguise, by the impressment of their seamen, by robberies on their coasts and harbours, and by the revival of all the hostile forms in which they had been harassed before, became so numerous and galling during the years 1804 and 1805, as to induce Mr. Jefferson to resort, in some instances, to force, to repel them. In December of the latter year,

seconded by numerous remonstrances from the people, he called the attention of congress pointedly to the subject. "Our coasts," he remarks, "have been infested, and our harbours watched, by private armed vessels, some of them without commissions, some with illegal commissions, others with those of legal form, but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbours, as well as on the high seas, not only the vessels of our friends, coming to trade with us, but our own also. They have carried them off under pretence of legal adjudication, but, not daring to approach a court of justice, they have plundered and sunk them by the way, or in obscure places, where no evidence could arise against them, maltreated the crews, and abandoned them in boats, in the open sea, or on desert shores, without food or covering.

"The same system of hovering on our coasts and harbours, under colour of seeking enemies, has been also carried on by public armed ships, to the great annoyance and oppression of our commerce. New principles, too, have been interpolated into the law of nations, founded neither in justice, nor the usage or acknowledgment of nations. According to these, a belligerent takes to itself a commerce with its own enemy, which it denies to a neutral, on the ground of its aiding that enemy in the war. But reason revolts at such an inconsistency; and the neutral having equal right with the belligerent to decide the question, the interests of our constituents, and the duty of maintaining the authority of reason, the only umpire between just nations, impose on us the obligation of providing an effectual and determined opposition to a doctrine so injurious to the rights of peaceable nations."

It was from these causes that a line of policy was adopted, which, though it had been in some degree that of his predecessors, and particularly of General Washington, may be considered, in the manner it was now exercised, as a distinguished feature of Mr. Jefferson's administration. It was to prepare the country for domestic defence, but to do so rather by shutting it up from foreign intercourse, than by exposing it to war; and in the mean time to try the full effect of negotiation, and to exercise yet a little longer forbearance under our numerous injuries. Accordingly, the measures adopted by the government in the early part of 1806, were those for the defence of the ports and coasts, and of the country itself in case of need, the act called the non-importation act, and the appointment of commissioners to negotiate abroad, particularly of Mr.

Pinckney, who was united with Mr. Monroe, the then resident minister in London.

It does not appear that any of the measures thus adopted, gave umbrage abroad; on the contrary, Mr. Pinckney, writing on the spot soon after his arrival, with a full knowledge of the temper of the government, and its effect upon England, pronounced the non-importation act a wise and salutary measure. His negotiations, indeed, though rendered unavoidably slow, were proceeding with prospects somewhat more favourable, when Bonaparte, stimulated as it should seem by the unlimited power of Great Britain on the seas, and the boundless depredations she committed in consequence of it, and, perhaps, by a jealousy of the negotiations pending in England, issued his decree of the twenty-first of November from Berlin. This, however, did not prevent the continuance of the negotiation, and the completion of a treaty in December, though it was accompanied by a declaration, that it should not preclude a right of retaliation; on the contrary, that right was almost immediately exercised by the British orders in council of January, 1807.

As the treaty with England contained little or no remedy for former injuries, and no sufficient stipulation against their renewal, added to the new causes which the hostile decrees had elicited, it was not confirmed by Mr. Jefferson; but still anxious for the line of policy he had adopted, and not to close the door against friendly adjustment, the commissioners were directed to resume their negotiations, with some further concessions on the part of the United States, and equal steps were pursued for accommodations with France.

While reposing, however, with confidence on this new reference to amicable discussion, an act was committed, which aroused the outraged feelings of the whole nation. On the twenty-second of June, 1807, by a formal order from a British admiral, the frigate Chesapeake, leaving her port for a distant service, was attacked by one of those vessels which had been lying in our harbours under the indulgences of hospitality, was disabled from proceeding, and had several of her crew killed, and four taken away. On this outrage, no commentaries are necessary. Its character has been pronounced by the indignant voice of our citizens, with an emphasis and unanimity never exceeded. A proclamation was immediately issued by Mr. Jefferson, requiring all British vessels bearing the royal commission to depart, and forbidding all to enter the waters of the United States. Satisfaction and security for the outrage were

promptly demanded; an armed vessel of the United States was sent directly to London, with instructions to our minister on the subject; and congress did not hesitate to declare it a flagrant violation of our jurisdiction, of which a parallel was scarcely to be found in the history of civilized nations; and which, if not disavowed, was just cause of instant and severe retaliation.

The British government immediately disavowed the act of the officer by whom it had been committed, and voluntarily made an offer of reparation, which was afterwards carried into effect. Scarcely, however, was this one act of injustice and aggression atoned for, when it was followed by another. In November, of the same year, 1807, orders were issued by the king in council, wherein he prohibited all commerce between America and the ports of his enemies in Europe, unless the articles had been first landed in England, and duties paid for their re-exportation; and declared that a certificate from a French consul, of the origin of articles, should render the vessel in which they were, liable to condemnation. The ground on which it was attempted to justify these measures, was a retaliation for the course adopted by the French government relative to neutral commerce; a pretext alike frivolous and unfounded. It was not denied that France had pursued a course quite unjustifiable; but yet, even supposing what has been uniformly denied, that the measures against America were first adopted by that nation, it is hard to imagine by what process of reasoning those measures could justify an attack on the acknowledged rights of a nation, that was no partner in their adoption, and to whose interests they were vitally inimical.

As appeal to justice and national law was thus made in vain, America had now no alternative left, but abject submission or decided retaliation. Yet it was difficult to know by what means this retaliation could be effected. Two only suggested themselves, a declaration of war, or a suspension of commerce on the part of the United States. The unsettled state of the world at that period, the peculiar and extraordinary situation in which this country was placed, the necessity, if hostilities were resorted to, of making it at the same time against the two most powerful nations of the world, the peaceful habits, the limited resources, and the uncertain issue, were all just causes of hesitation in choosing the more decided alternative; and although there could be no doubt that its adoption would injure, if it did not destroy an extensive and valuable commerce, yet that commerce would almost equally suffer from the

ravages of unavenged and unnoticed aggression. Under these circumstances, on the eighteenth December, 1807, Mr. Jefferson recommended to congress an inhibition of the departure of our vessels from the ports of the United States, and on the twenty-second of the same month an act was passed by them, laying a general embargo.

This measure, the most prominent feature in the administration of Mr. Jefferson, was not adopted, as may well be supposed, without much opposition from those whose views of policy were different from his own; yet at this period, when much of the violence of party has subsided, and subsequent events have shown the effect of such a measure, it seems difficult to imagine what better course could have been pursued, in the situation of the country at that period. Surely a tame submission was not to be thought of, but even if it had been, to the total sacrifice of our national honour, yet in no point of view could it have saved the suffering commerce of the nation. The experiment of negotiation had been made year after year without success; private and public rights had been infringed with impunity; and America must have consented to become the willing and unresisting victim of commercial despotism, to be despised and trampled on in future, whenever Europe should choose to pursue her schemes of commercial aggrandizement. With most nations, and under ordinary circumstances, the appeal to war would have been as prompt as the injury was unjustifiable; but the government, interests, and situation of America required the exertion and failure of every other alternative, before that was resorted to. Under these circumstances, the embargo presented itself as a measure of retaliation, if not decisive at least preparatory. It could only be injurious to the commercial interests of the nation, already in a situation scarcely capable of greater injury. It left open equally the means of farther negotiation and the power of resorting to war, while it showed to foreign nations the decided spirit which animated our councils, and inflicted no inconsiderable blow on their interests.

On these grounds it was recommended by Mr. Jefferson, and certainly promised at least temporary success. The interesting letters which have lately been given to the world, in the biography of one of our most distinguished citizens, then ambassador in London, seem to place this circumstance beyond question. Very shortly after its establishment, in writing from England, he observes, "It is apparent that we gain ground here. The tone is altered. The embargo and the loss of our trade are deeply felt here, and will be

felt with more severity every day. The wheat harvest is like to be alarmingly short, and the state of the continent will augment the evil. The discontents among the manufacturers are only quieted for the moment by temporary causes. Cotton is rising, and soon will be scarce. Unfavourable events on the continent will subdue the temper unfriendly to wisdom and justice, which now prevails here."

Mr. Jefferson was so far destined, ere his retirement, to behold the success of his plans, that in January, 1809, after the embargo had existed a year, overtures were made by Mr. Canning to Mr. Pinckney, which indicated a disposition on the part of the British government, to recede from the ground they had taken. These overtures were succeeded by negotiations, which at last terminated in the repeal of some of the most objectionable features of the orders in council.

The period had now arrived, when he was desirous to close forever his political career; he had reached the age of sixty-five years; he had been engaged almost without interruption for forty years in the most arduous duties of public life; and had passed through the various stations, to which his country had called him, with unsullied honour and distinguished reputation; he now, therefore, determined to leave the scene of his glory, while its brightness was unobscured by the unavoidable infirmities of age; and to spend the evening of his days in the calmness of domestic and philosophical retirement.

From this period, with the exception of excursions which business required, Mr. Jefferson resided altogether at Monticello. He indeed appeared occasionally before his countrymen, by publications of his private correspondence, which proved the same purity of intention, the same earnest zeal in the promotion of liberal opinions, and the same intelligence, forethought, and firmness which distinguished the actions of his earlier life. He was called forward from time to time, by the repeated anxiety of his countrymen to connect him with the rising institutions, which have been formed to promote science, taste, and literature. And above all, he was sought out in his retirement by strangers from every foreign nation, who had heard of and admired him; and by the natives of every corner of his own country, who looked upon him as their guide, philosopher, and friend. His home was accordingly the abode of hospitality, and the seat of dignified retirement; and while he thus forgot the busy times of his political existence, in the more calm and congenial pleasures of learning and science, Monticello might remind us of the scene

where the Roman sage, deserting the forum and the senate, discoursed beneath his spreading plane tree, on the rights and duties of man—*rura nemusque sacrum dilectaque jugera musis*.

It was not, however, to his private cares, and enjoyments alone, that these years of retirement were devoted by Mr. Jefferson. Soon after his return to Monticello, when the formation of a college in his neighbourhood was proposed, he addressed a letter to the trustees, in which he sketched a plan for the establishment of a general system of education in Virginia. This appears to have led the way to an act of the legislature in the year 1818, by which commissioners were appointed, with authority to select a site and form a plan for a university, on a scale of great magnificence. Of these commissioners, Mr. Jefferson was unanimously chosen the chairman, and on the fourth of August, 1818, he framed a report embracing the principles on which it was proposed the institution should be formed. The situation selected for it was at Charlottesville, a town at the foot of the mountain on which Mr. Jefferson resided. The plan was such as to combine elegance and utility with the power of enlarging it to any extent, which its future prosperity may require. The plan thus proposed was adopted by the legislature. Mr. Jefferson was elected the rector of the new institution, and from that period he devoted himself with unceasing ardour to carry it into effect. Nothing indeed could exceed his fond desire for its success, and it is to be lamented that his labours and anxieties in its behalf have not won for it a more prosperous career. It appeared to be the object of all his hopes and thoughts in the declining years of his life. He rode every morning when the weather would permit, to inspect its progress; he prepared with his own hands, the drawings and plans for the workmen; he stood over them as they proceeded with a sort of parental care and anxiety; and when the inclemency of the season or the infirmity of age prevented his visits, a telescope was placed on a terrace near his house, by means of which he could inspect the progress of the work. After its completion, he might often be seen pacing slowly along the porticoes or cloisters which extend in front of the dormitories of the students, occasionally conversing with them, and viewing the establishment with a natural and honourable pride. In the library is carefully preserved the catalogue written by himself, in which he has collected the names, best editions, and value of all works of whatever language, in literature and science, which he thought necessary to form a complete library, and in examining it one is really less struck with the re-

search and various knowledge required for its compilation, than the additional proof of that anxious care, which seemed to search out all the means of fostering and improving the institution he had formed.

It is painful to turn from this pleasing picture, to the scenes of worldly suffering, from which no human lot is entirely exempt. Although the virtues and fame of Mr. Jefferson shed a bright lustre around the evening of his days, it was destined to be obscured by an incident which, however desirous we might be to pass over, must not remain unnoticed in the history of his life. For more than fifty years he had been actively engaged in public office, generally at a distance from his own estate; and though his patrimony was originally large, it could not but be impaired by this unavoidable neglect. In retiring from the exalted station he had enjoyed, he did not enter on a less conspicuous scene; he had become identified as it were with the greatness and glory of his country: he was the object of attraction to crowds of anxious and admiring guests, and unless by coldly closing his doors, it was impossible to limit the expenses he was thus obliged to incur.

To relieve him from the embarrassment in which he was thus involved, an act of the legislature of Virginia was passed in the spring of 1826, by which he was authorized to dispose of his estates by lottery, in order that a fair price for them might be obtained. Whether this tardy measure was becoming to the character of a high-minded state; whether such was the manner in which she should have relieved the wants of a citizen, to whom it is acknowledged she was mainly indebted for what is most valuable in her government, her laws, and her institutions, and who had equally devoted to her, his youth, his manhood, and his hoary age—it is not for us to determine.

But few more incidents remain to be told of the eventful life of this great man. The full vigour of his mind, indeed, remained unimpaired, at least until a very short period before he fell into the grave. The year 1826 being the fiftieth since the establishment of our independence, it was determined universally throughout the United States, to celebrate it as a jubilee with unusual rejoicing; preparations to this end were made in every part of the country; and all means were taken to impart to the celebration, the dignity which was worthy of the country and the event. The citizens of Washington, the metropolis of the nation, among other things invited Mr. Jefferson, as one of the surviving signers of the Declaration

of Independence, to unite with them in their festivities; this request he was obliged to decline; but the letter in which he signified his regret, is left to us a monument of his expiring greatness. On the twenty-fourth of June, when the hand of death was already upon him, he expressed in this letter all those characteristic sentiments which through life had so strongly marked him—the delight with which he looked back to the period when his country had made its glorious election between submission and the sword—the joy he felt in its consequent prosperity—the hope he indulged, that the time would yet come when civil and religious freedom should bless all the world—his ardent wish, that the return of that day should keep fresh in us the recollection of our rights, and increase our devotion to them, and the affectionate remembrance with which he dwelt on the kindness he had experienced from his fellow citizens. He remarks in his letter to the mayor of Washington, “all eyes are opened, or opening, to the rights of man. The general spread of the lights of science, has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favoured few, booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others; for ourselves, let the annual return of this day for ever refresh our recollections of these rights, and an undiminished devotion to them.”

Soon after this letter was written, the indisposition of Mr. Jefferson assumed a more serious character. He had been for some time ill, though it was not until the twenty-sixth of June that he was obliged to confine himself to his bed. The strength of his constitution, and freedom from bodily pain, for a short time encouraged the hope that his illness was merely temporary. He himself, however, felt the conviction that his last hour was approaching. He had already lived beyond the limits ordinarily assigned to human existence, and for some months past, the whole tone of his conversation showed that he was looking forward to its termination with a calmness and equanimity worthy of his past life. “I do not wish to die,” he was in the habit of saying to the intimate friends around him, “but I do not fear to die. Acquiescence under circumstances is a duty we are permitted to control.” He declared, that could he but leave his family unembarrassed, and see the child of his old age, the university, fairly flourishing, he was ready to depart—*nunc dimittis Domine*, the beautiful ejaculation of the Hebrew prophet, was his favourite quotation.—May God and his country grant the

fulfilment of his dying wishes. On the second of July, the complaint with which he was afflicted, left him; but his physician expressed his fears that his strength might not prove sufficient to restore him from the debility to which it had reduced him; conscious himself that he could not recover, and free from all bodily and apparently from all mental pain, he calmly gave directions relative to his coffin and his interment, which he requested might be at Monticello, without parade or pomp; he then called his family around him, and conversed separately with each of them. To his beloved daughter, Mrs. Randolph, he presented a small morocco case, which he requested her not to open until after his death. When the sad limitation had expired, it was found to contain an elegant and affectionate strain of poetry, on the virtues of her from whom he was thus torn away. On Monday, the following day, he inquired of those around him, with much solicitude, what was the day of the month; they told him it was the third of July; he then eagerly expressed his desire that he might be permitted to live yet a little while, to breathe the air of the fiftieth anniversary. The wish was granted—the Almighty hand sustained him up to the very moment when his wish was complete; and then bore him to that world, where the pure in heart meet their God.

Those who are now alive, will never forget the deep sensation which the intelligence of this event produced in every part of the United States. The public honours every where lavished, were not, in this case, the mere mockery of woe; but they found a correspondent feeling in the heart of every citizen. It scarcely required the indulgence of superstition or enthusiasm to see, in the extraordinary coincidence which marked the last hours of Mr. Jefferson and Mr. Adams, the directing hand of heaven; and in this lesson America had again reason to bless that Almighty power which had so often seemed, in days of adversity specially, to guide her through apparently unconquerable perils; and in days of prosperity to shower down upon her people, in the yet short period of their existence, what other nations have been unable to attain to in the long lapse of time.

Mr. Jefferson expired at Monticello, at ten minutes before one o'clock on the fourth of July, 1826; within the same hour at which, fifty years before, the Declaration of Independence had been promulgated. At this time he had reached the age of eighty-three years, two months, and twenty-one days. In person he was six feet two inches high, erect and well formed, though thin; his eyes were

light, and full of intelligence; his hair very abundant, and originally of a yellowish red, though in his latter years silvered with age. His complexion was fair, and his countenance remarkably expressive; his forehead broad, the nose not larger than the common size, and the whole face square and expressive of deep thinking. In his conversation he was cheerful and enthusiastic; and his language was remarkable for its vivacity and correctness. His manners were extremely simple and unaffected, mingled however with much native, but unobtrusive dignity.

In his disposition, Mr. Jefferson was full of liberality and benevolence; of this the neighbourhood of Monticello affords innumerable monuments; and on his own estate, such was the condition of his slaves, that in their comforts his own interests were too often entirely forgotten. He possessed uncommon fortitude and strength of mind, with great firmness and personal courage. In forming his opinions he was slow and considerate; but when once formed, he relinquished them with great reluctance. His equanimity and command of temper were such, that his oldest friends have remarked that they never saw him give way to his passions. By his domestics he was regarded with all the warmth of filial affection. His attachment to his friends was warm and unvarying. His hospitality was far beyond his means, and left him, as we have seen, in his old age the victim of unexpected poverty.

The domestic habits of Mr. Jefferson were quite simple. His application was constant and excessive. He rose very early; and after his retirement from public life, devoted the morning to reading and to his correspondence, which was varied and extensive to a degree that in his latter years became exceedingly troublesome. He then rode for an hour or two, an exercise to which he felt all the characteristic attachment of a Virginian, and which he continued until a very short period before his death; the horse he used was young, and not remarkably gentle: nor could he be prevailed on to allow the attendance of servants, even to the last. After dinner he returned to his studies with fresh ardour, and then devoting his evening to his family, retired to bed at a very early hour.

The studies of Mr. Jefferson were extended to almost every branch of literature and science. He was the father of some, and the patron of many of the institutions of his country for their promotion. He was said to be a profound mathematician, and was in the habit of obtaining from France, up to the day of his death, the most abstruse treatises on that branch of science. His acquaintance

with most of the modern languages was minutely accurate; he was a profound Greek scholar, having devoted himself during his residence in Europe to an extensive and thorough study of that language; and he is said to have cultivated a knowledge of those dialects of northern Europe, growing out of the Gothic, which are so closely connected with our own language, laws, customs, and history.

Like Franklin, Mr. Jefferson felt the gradual decay of age, affecting his body rather by insensible degrees, than by any settled infirmity, and his mind not at all. He became hoary, venerable, and bent with years, rather than broken by them; and his death was at last so happy in all its circumstances, that he seemed to have passed from this to another world, with the composure which religion and philosophy must equally desire.

BENJAMIN HARRISON.

BENJAMIN HARRISON was born in the family mansion at Berkeley, but on what day, we have been unable precisely to ascertain. At the time of his father's death, he was a student in the college of William and Mary, but owing to a quarrel with one of the professors, in which he was engaged, he left that institution before the usual period. Although still very young, he had already displayed so much firmness and decision of character, that the management of his estate, which was very extensive, was committed entirely to his charge, soon after he returned from college. As the head, also, of a family, which had always been among the conspicuous political leaders of the colony, he was soon called on to represent his district in the provincial legislature, and took his seat in the house of burgesses, before he had arrived at the age strictly required by law. To this station during his whole life, whenever his other political employments did not interfere with it, he was always elected, except in one solitary instance, which we shall have occasion hereafter to notice.

He had not been long a member of the legislature, before he became one of the principal leaders in it. A great deal of plain good sense, united with a ready sprightly manner, and much promptness and decision of character, rendered him highly useful.

On the fourteenth of November, 1764, he was appointed, with several distinguished members of the house, to prepare an address to the king, a memorial to the lords, and a remonstrance to the house of commons, on the subject of the resolutions which had been passed preparatory to the stamp act. On the eighteenth of December, the report of the committee was presented, but such was the temper of the times, that the more prudent, at least the more timid, altered much which seemed to indicate too strongly a feeling of resistance, and left it little more than a protestation of injured rights, and a picture of anticipated suffering.

On the first of August, 1774, the first convention of delegates



RES OF BEN. HARRISON BERKLEY VA

from the several counties and corporations of Virginia, assembled at Williamsburg. They there passed a series of resolutions, which prove the spirit by which they were animated; and set forth the determination to which they had come, of supporting to the last their American brethren, and opposing the designs of the mother country. With these objects they entered warmly into the plan which had been generally recommended, of assembling a congress of delegates from all the colonies, and appointed seven deputies to represent Virginia. Of these Mr. Harrison was one.

On the fifth of September, 1774, the first continental congress met at Carpenters' Hall, in the city of Philadelphia, and Mr. Harrison, who was present on that day, had the satisfaction of seeing a delegate from his own state, raised by the unanimous approbation of the assembly, to the presidential chair.

On the twentieth of March, 1775, the second convention of delegates from the several counties and corporations of Virginia, met in the city of Richmond. Of this body also Mr. Harrison was a member. Before the convention adjourned, they adopted the measure, which, perhaps, was the most important in the posture of affairs, the election of delegates to the second general congress. Among these Mr. Harrison was again appointed. An effort had been made by Lord Dunmore to prevent the measure. He had issued a proclamation in which he spoke of congress, as an assembly of certain persons styling themselves delegates, to obtain redress of certain pretended grievances; and, in his majesty's name, required all magistrates and officers to prevent any such appointment, and to exhort all the citizens to desist from such an unjustifiable proceeding, so highly displeasing to his majesty. But the age of proclamation had passed by. The delegates were elected without hesitation.

Early in May, 1775, Mr. Harrison again repaired to Philadelphia, to take his seat in congress. During his residence in that city, he lived in a house which may yet be seen in the northern part of the town, with two of his colleagues from Virginia, General Washington and Peyton Randolph, the distinguished president of congress. There Mr. Randolph died in the autumn of the same year; and General Washington having taken the command of the army in Massachusetts, Mr. Harrison remained alone. Within a few years past there were several old and respectable inhabitants of Philadelphia, and a few yet survive, who could recollect, at the period of which we are speaking, the cheerfulness and vivacity of his manners, and

the liberality of his disposition. In a confined mansion, then on the outskirts of the town, though now far within its limits, he gave to his northern friends some idea of that generous hospitality which had long distinguished the more extensive establishments at Berkeley. He, indeed, exceeded, in some degree, the limits of prudence and, as in those days, supplies of money from distant landed estates were uncertain, and procured with difficulty, he was several times induced to borrow it from his friend and associate in congress, Mr. Willing. This loan at one time amounted to a large sum, but was punctually repaid by Mr. Harrison before his death.

Congress had scarcely met, when the duties of the president, as speaker of the house of burgesses of Virginia, obliged him to relinquish his honourable post and return to that state. Mr. Hancock had just arrived in Philadelphia; he brought with him all the fame, which ministerial oppression had conferred, in excluding him by name from the general pardon extended to the rebellious colonists; and he brought with him too, a better claim to distinction in the generosity of his character, and the perfect disinterestedness of his patriotism. The eye of congress was immediately fixed on him as the successor of Mr. Randolph, and he was unanimously elected president. With a modesty not unnatural at his years, and a consciousness of the difficulty he might experience, in filling a station of such high importance and responsibility, he hesitated to take the seat to which he had been elected. Mr. Harrison was standing beside him, and with the ready good humour that loved a joke even in the senate house, he seized the modest candidate in his athletic arms and placed him in the presidential chair; then, turning to some of the members around, he exclaimed, "we will show mother Britain how little we care for her, by making a Massachusetts man our president, whom she has excluded from pardon by a public proclamation."

On the twenty-fourth of June, we find Mr. Harrison a member of a committee, appointed to devise ways and means to put the militia in a proper state for the defence of America; a measure leading at once, to the general organization of an army throughout the colonies. After deliberating on it for nearly a month, a plan was presented to, and with some alterations, adopted by congress, which formed the basis of the militia system throughout the war.

On the first of August congress adjourned, and on the eleventh of the same month, a convention was held at Richmond, when Mr. Harrison was elected a third time to congress. On the thirteenth

of September, he took his seat. His name soon appears among the most prominent and active members of the house; and perhaps there was no one in it, who enjoyed more general confidence and esteem. His attention from the first, was strongly turned towards the military affairs of the colonies; in their organization, and in facilitating all the legislative details of the war, he was particularly active. In September, he was elected a member of a committee of three, who repaired immediately to the camp at Cambridge, where they had a long and full conference not only with the commander-in-chief, but with some of the governors of the neighbouring states, and arranged with them a system of vital importance; that of continuing, supporting, and regulating the continental army. He had scarcely returned to Philadelphia, before he was called on to make similar arrangements, with regard to the troops which were required for the defence of South Carolina and New York. He settled the details of both these plans, which were peculiarly difficult from the loose mode of enlisting, and the entire ignorance of discipline which universally prevailed.

Towards the close of this year, congress, which had hitherto confined its views to internal government, began cautiously to extend the circle of its relations, in anticipation, no doubt, of subsequent events. They were well aware that if, as every experience seemed to indicate, the quarrel with the mother country should be terminated by a resort to arms, they ought to look for aid to her powerful rivals in the old world. To prepare the way for this, it was necessary to establish with them a species of diplomatic intercourse, though not avowedly with those objects, nor in the manner usually adopted between foreign nations. On the twenty-ninth of November, Mr. Harrison was placed, if we may use the expression, at the head of the department of foreign affairs, that is to say, he was appointed the chairman of a committee organized under the following cautious resolutions: "That a committee of five be appointed for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world, and that they lay their correspondence before congress when directed. That congress will make provision to defray all such expenses as may arise, by carrying on such a correspondence, and for the payment of such agents as they may send on this service." By this committee, and in this manner, was all the foreign intercourse of the country conducted until the spring of 1777. At that time its objects had become more definite, and its negotiations more extensive; its style was therefore altered to

the "comm.ttee of foreign affairs," and a secretary was appointed, with a permanent salary; this organization continued until the close of the war.

Three days after Mr. Harrison had been raised to this situation, he was suddenly appointed by congress on a mission to Maryland. Lord Dunmore, the royal governor of Virginia, had been driven from that province in the preceding summer. Sacrificing, or forgetting, every principle of honourable warfare, he had collected from the shores a body of renegadoes, fugitive slaves, and vagabonds, with whom he manned a number of small vessels, and plundered and laid waste the coast of the Chesapeake. The defenceless inhabitants applied to congress for protection against this barbarous invasion. That body were at a loss what course to adopt, for they were without a naval force fitted for such an enterprise. They resolved, however, without delay, to send Mr. Harrison to Maryland. He was empowered, with any one or more of the delegates of that colony, to take such measures as appeared most effectual, to prevent these aggressions of the enemy. This duty he performed with the utmost promptness; he caused a number of small vessels to be fitted out, and succeeded, to a great degree, in the object of his mission.

On the twenty-third of March, 1776, congress passed a declaration which may be considered the forerunner of independence, as the issuing of letters of marque precedes the formal declaration of a war. They authorize the colonists to fit out armed vessels and cruise against the enemy; declare all property taken by them on the high seas lawful prize, and conclude by appointing a committee to consider of the fortifying one or more of the ports on the American coast in the strongest manner, for the protection of our cruisers and the reception of their prizes. Of this committee Mr. Harrison was the chairman.

In May, we find Mr. Harrison chairman of a committee on the Canada expedition, and making every effort to retain the footing which the provincials had already gained there. For this purpose he had a conference with General Washington, General Gates, and General Mifflin, and afterwards brought the subject immediately before congress. His views were sanctioned and confirmed. The commanding officer in Canada was instructed to use every effort in keeping possession of the country, and to contest with the British every foot of ground. With the view of cutting off all communication between the upper country and the enemy, particular exertions were directed to be made on the St. Lawrence below the mouth of

the Sorel. The troops destined for Canada were ordered to repair thither immediately; and those already there were assured of the resolution of congress to afford them every support.

On the twenty-fifth of May, Mr. Harrison was appointed chairman of a committee of fourteen, who were chosen for the important purpose of conferring with the general officers, and arranging with them a plan for the ensuing campaign. This, as it involved in a great degree the future results of the war, was one of extreme delicacy and difficulty. A plan, however, was adopted and submitted to congress. It was by them referred to a committee of the whole, of which also Mr. Harrison was chairman, and after long and numerous deliberations, measures were decided on, founded on the plan which had been framed by the first committee.

It was found, however, at length, that the military affairs of the government were now become too extensive and too important thus to be submitted in detached portions, as exigency required, to the consideration of temporary committees; and that it was much more advantageous to form a permanent body, to whom they should be generally intrusted. On the thirteenth of June, a board of war and ordnance was appointed, consisting of five members of congress and a secretary, who had the general superintendence and regulation of the army; to their care were committed all the military stores; the distribution of money; the raising and equipping of troops; the destination of prisoners, and the transaction of all business relating thereto. In the subsequent affairs of the country, this board became the most important, and required from those who composed it the most arduous exertions. Mr. Harrison was chairman of the board, an office which he retained until he left congress. "He was," says the venerable Judge Peters, "a member of the committee of congress composing the first board of war, in June, 1776, when I entered on the duties assigned to me in the war department. This gave me the opportunity of observing his firmness, good sense, and usefulness in deliberative and critical situations; and much use, indeed, was required of these qualities, when every thing around us was lowering and terrific. But when the Rubicon was passed, the march of all who were engaged in the conflict was steady, cheerful, and undaunted."

It was not, however, in military matters alone, that the talents of Mr. Harrison were exercised; the same firm, steady, deliberate mind was applied with equal vigour and utility to the various other subjects which occupied congress. As chairman of committees of the whole house, he appears to have been very popular; during this ses-

sion he seems invariably, when present, to have held that station. We find him in this situation, presiding over their deliberations on the despatches of the commander-in-chief; the settlement of commercial restrictions; the regulation of trade; the general state of the colonies; and finally the great question of national independence. During all the various and protracted debates on this important subject, he was in the chair, and gained the esteem and approbation of the house, by the uniform correctness and impartiality of his conduct. The records of this interesting discussion are, it is to be feared, lost for ever; and we have little left us but the occasional anecdotes which tradition has preserved, of an event whose minutest incidents would now be eagerly listened to and carefully recorded. On the tenth of June, he brought up the resolution of the committee, which declared the independence of the colonies, and authorized the preparation of the final and more formal instrument; and on the fourth of July, he reported that instrument itself, as having received the approbation of congress. He afterwards affixed his name to it, with the other delegates from Virginia. An anecdote has been preserved of Mr. Harrison, which, if it appears somewhat inconsistent with the solemnity of the scene, yet serves, in no slight degree, to exemplify the bold and lively character of the man. Mr. Gerry, a delegate from Massachusetts, as slender and spare as Mr. Harrison was vigorous and portly, stood beside him at the table, while signing the Declaration. He turned round to him with a smile, as he raised his hand from the paper, and said, "When the hanging scene comes to be exhibited, I shall have all the advantage over you. It will be over with me in a minute, but you will be kicking in the air half an hour after I am gone."

The resignation of Mr. Jefferson rendered a new election necessary; and Mr. Harrison was chosen on the tenth of October, with only five dissenting voices. On the fifth of November, after an absence of less than three months, he was again seated in congress. He was received by his old associates with pleasure and approbation. He was restored on the day of his arrival, to his appropriate station in the board of war, and a resolution was immediately passed, by which he was continued in all the standing committees of which he was formerly a member. In addition to this, he was placed on a committee to examine into and superintend the situation and movements of the northern army, at that time one of the very sinews of the war. In this duty he was for some time constantly and arduously engaged. Indeed, during the whole of the dreadful winter of 1776.

and the spring of 1777, when many deserted their posts, he was always on the ground, and always active. He accompanied his companions in their hasty flight to Baltimore, and returned with them again to Philadelphia. He laboured with untiring zeal on that most intricate of all subjects, which claimed the attention of congress—the means of preserving the continental credit, and supplying the exhausted treasury; and he renewed his exertions in his favourite department—the support and increase of the army.

On the twenty-second of May, 1777, by a joint ballot of both houses, the legislature of Virginia returned him first among the delegates to congress, and he took his seat for the fourth time in that venerable body. We find him during the summer, acting on many committees and presiding over the deliberations of the house, on questions of delicacy and importance. He was, indeed, the universal chairman of committees of the whole house. He was in the chair during the delicate discussions relative to the admission of the state of Vermont into the Union; on the contracts made by the commissioners in France; on the articles of confederation—the subject of difficult and protracted debate; on the ways and means for continuing the war at that gloomiest period of the revolutionary history; and various other measures of paramount importance.

On the eighteenth of September, congress were again driven from Philadelphia, and after remaining a day at Lancaster, established themselves at Yorktown. Thither Mr. Harrison accompanied them, and continued his active exertions on various committees. This had now become the more necessary; for, alarmed at the increasing difficulties of the times, or oppressed with accumulated and increasing labour, many of the delegates had returned to their homes; and the Union was represented by eighteen or twenty gentlemen. Yet the spirit which had animated the whole, remained with the few; and as their numbers lessened, their zeal and industry increased. In the inconvenient, but well-disposed place of retirement they had chosen, they acted with all the boldness which might have arisen from success, while smarting under defeat—with all the energy of unbounded resource, when the last means of resistance seemed to be destroyed.

Towards the close of the year 1777, Mr. Harrison expressed his wish to retire from congress, and on his doing so, he was succeeded by Mr. Harvie, a truly excellent man. We need not say, that this retirement was utterly unfounded on any views, such as the enemies of America expressed. His reasons were strong and sufficient. He had now been a member of congress more than three years;

during all that time his employment and exertions had been excessive; his estates had been ravaged in his absence; his fortune had been impaired; his services were eagerly demanded in his native state; he was the only one of the first delegates from Virginia, who yet served; and there were men whom his modesty acknowledged as his superiors, ready at once to succeed him. Under these circumstances he tendered his resignation, and returned to Virginia; leaving behind him the highest character as a man eminently calculated for public office, ardent, persevering, honourable and prudent.

His arrival in Virginia, was hailed by his fellow citizens with the utmost warmth. He was immediately returned from his county to the house of burgesses, and as immediately elected speaker of that body. This office he held uninterruptedly until the year 1782.

He was called to preside over the councils of Virginia, during the gloomiest period of her history. As yet she had never been the theatre of war, if we except the occasional incursions on her coasts. The year 1781, however, brought with it deeper perils. The traitor Arnold invaded and laid waste the country as far as Richmond; and immediately after him came Cornwallis, sweeping from the south with his victorious army. The small body of continental troops retreated before him, unable to strike a blow, and he roamed at pleasure through every quarter of the state. At this awful period, Virginia had no hope but in the aid of Washington. To him the governor applied; and the legislature hoping perhaps that private friendship, united with a formal representation from one not easily alarmed, might strengthen official application, prevailed on their speaker to repair to the head quarters of the commander-in-chief; and in his absence chose a presiding officer *pro tempore*. In this duty, as in every other, Mr. Harrison acted with his usual promptness; but he did not succeed in the object of his mission. General Washington felt himself the defender of all America, and however painful to his feelings it might be, thus to see his native state unprotected and ravaged, he knew it to be his duty to pursue those plans which promised most speedily to secure, not momentary safety, but permanent triumph. On Mr. Harrison's return, he resumed his seat, and was driven about from place to place, as he had formerly been in congress, scarcely able to keep together the delegates over whom he presided. Richmond, Charlottesville, Staunton, and the Warm Springs, were in little more than a month the successive places of adjournment; and it was only by hastening their deliberations, and urging them to promptness and exertion, that

the speaker could obtain the passage of those measures, which the state of the country imperiously demanded.

In the year 1782, on the resignation of Mr. Nelson, Mr. Harrison was elected governor of Virginia, and became one of the most popular officers that ever filled the executive chair. His services during the period, were many and great; the fluctuations of public opinion, the situation of the continental army, the state of public currency, the efforts of intriguing men, and the natural revulsion of affairs, which accompanied the return of peace, called forth all the vigour and steadiness of his character.

After having been twice re-elected governor, Mr. Harrison became ineligible by the provisions of the constitution, and in 1785 returned to private life. He was immediately announced as a candidate for his own county, without solicitation, and without his knowledge; but in this instance, and in this only, he failed of success. A political rival artfully made use of a measure which he had adopted while governor, that of obliging the county militia to level the embankments raised at the siege of Yorktown; and by working upon the feelings of the populace, succeeded in exciting against him a momentary unpopularity. He did not hesitate as to the course he should pursue. The election in the neighbouring county of Surrey, occurred a fortnight after that of Charles city, where he had been rejected. He left Berkeley, crossed over into Surrey, and after residing there a few days, was returned with his son Carter, by an almost unanimous vote, to the same legislature. This completely frustrated the plans of his opponent, whose opposition had arisen from a wish to be placed in the speaker's chair, a situation which he knew there was a little chance of obtaining when Mr. Harrison was a member of the house. The unfairness of the scheme induced Mr. Harrison to exert an influence he would otherwise have willingly omitted, and being nominated as presiding officer, he was immediately elected. The people of his own county convinced of their hasty error, and mortified at the result, before the succeeding annual election solicited his return, and from that period he represented them without an interval until his death.

Mr. Harrison was now considerably advanced in years, and his constitution was beginning to suffer under the effects of age, and of a very active life; he was not, himself, willing to attribute it to these causes, but used to say that it arose from his having pursued the foolish fashions of the time, and abandoned good old Madeira for light French wines. The high veneration for his character,

however, still remained, and when the new constitution of the United States was submitted to Virginia, he was chosen a member of the convention. In this venerable body we find him seated, on the second of June, 1788, among all the brilliant and distinguished politicians, of whom Virginia could then boast so many. As to this instrument, his opinions were firmly fixed; he was strongly convinced of the propriety and necessity of a union, but he was equally anxious that all the powers of the government should be carefully defined; he therefore opposed the ratification, before the amendments, which he believed necessary for this end, had been incorporated with the original instrument. In these views he was supported by nearly half the convention, the majority by which the unconditional ratification was passed, only amounting to ten votes.

In the year 1790, he was, contrary to his wishes, brought forward as a candidate for the executive chair. In Virginia, the governor is elected annually by a joint ballot of both houses, and may serve three years; he is then ineligible for four more. Mr. Beverly Randolph was at this time the governor; he was a very amiable man, and on terms of the most friendly intimacy with Mr. Harrison; he had served two years, when, by some means, he became unpopular with a part of the legislature, and they determined not to re-elect him for the succeeding year. They kept their plan secret until a day or two before the election, and then fixed on Mr. Harrison as their candidate, relying on his well-known popularity. As soon as he discovered it, he refused to serve, and opposed the scheme by every means in his power; his own son voted against him, and in favour of Mr. Randolph, and that gentleman was by these means continued in office, though only by a majority of two or three votes. Mr. Harrison would have been a candidate, and no doubt elected, the following year, had he lived.

His health at this time was visibly and rapidly declining. In the spring of 1791, he was attacked with a very severe fit of the gout, which produced a debility of the intestines. From this, however, he partially recovered; his friends were again collected around him, and his usual vivacity returned. The day after his unanimous election to the legislature, in April 1791, he had assembled a party to dinner, and he passed the day merrily with them, receiving their congratulations on his undiminished popularity, and on the certainty of his being the next governor of the state. Their congratulations, however, were in vain. The same night a relapse took place, and he speedily exhibited every symptoms of approaching dissolution.

Before the family physician arrived, he directed some medicine to be prepared for him; as an old and faithful domestic brought it to his bed-side, she said, "here, sir, is the medicine you asked for;" "and here, Molly," he calmly replied, "will soon be a dead man." On the following day he died, with perfect resignation and composure.

We have been unable to ascertain the date of Mr. Harrison's birth. Of that of his marriage too we are ignorant, although it was at an early age. His wife's name was Elizabeth Bassett; she was the daughter of Colonel William Bassett, of Eltham, in the county of New Kent, and a niece of the sister of Mrs. Washington. In her youth she was considered extremely beautiful; and those who yet live to remember her, speak of her in later years, as a woman of great piety, benevolence, and goodness. She only survived her husband a single year.

Those who recollect Mr. Harrison, speak of him as a man above the ordinary height, and very muscular; in his carriage he was remarkably dignified; and in his latter years he became corpulent. This arose from his mode of living, which was highly convivial; he enjoyed and indulged in the pleasures of the table, though never beyond the limits of propriety. This habit, however, tended much to impair the vigour of his constitution; and his features, which in early life were handsome, became at last coarse and red.

His talents seem to have been rather useful than brilliant. In public life he never took a very prominent part in debating or writing, yet when called on by circumstances, he acquitted himself in both, with facility and credit. His sentiments were generally liberal; though he sometimes indulged that strong prepossession in favour of his own state, which has always so remarkably characterized the representatives of Virginia. He never suffered it, however, to interfere with his ardour for the public good of the whole confederacy, and the united efforts common danger constantly required. His judgment was sound, grave, and solid; yet he had a pleasantry, when he chose to indulge it, which lightened labour, and banished uneasy apprehensions. Some instances of this in his public career, we have already recorded; and many more are related among the incidents of his private life. In the early part of the revolution he was passing through Baltimore, at a time when a number of young gentlemen were assembled in a convivial meeting. They invited him to join them, to which he readily agreed; and seized the opportunity to warm their young blood with the principles of the revolution. This he did with so much good humour

vivacity, and wit, that as one of them afterwards expressed it, they all agreed at once to take up the cross, though some had been previously by no means hearty in the cause. One evening he was sitting at Berkeley with a neighbouring gentleman and some of his family, when a servant maid came in to inquire what clothes she should put up for a journey he was to commence the next day. "Why," said he, with the utmost gravity, "you may put up my black velvet suit, my green trimmed with gold, and the blue and silver." The poor girl, and all around, looked astonished. At length he said, "Now, she knows well enough, except what I have on, but one decent suit in the world belongs to me, and yet she comes for a list, as if I had the wardrobe of a king." Between the captains of the vessels passing up James river and the gentlemen residing on the shores, a reciprocity of good offices was kept up. The former sent presents to the latter of foreign rarities, and received in return the fresh produce of their plantations. A sailor once brought him a remarkably thin cheese; "Please your honour," said the sailor, using his nautical terms, "the captain has sent you a loaf of cheese." "I am much obliged to the captain; but really, my good fellow, it looks more like a *pancake* of cheese than a *loaf*." The sailor returned to the vessel, and shortly after came back with a cheese of a very different shape, and observed, "The captain's determined to suit your honour's taste, so he has sent you a real loaf." When alone and fatigued with reading, he was very fond of amusing himself with a small spaniel and a very large cat, with which he would often play for a long while, and succeeded in teaching them a variety of amusing tricks.

Mr. Harrison inherited a very large fortune from his father, and twice succeeded to considerable property under the old English law of primogeniture. It was, however, somewhat impaired by disastrous times and imprudent speculations. Before the revolution, and indeed in some instances subsequently, the Virginia gentlemen were their own merchants, exporting themselves the produce of their estates. In this system Mr. Harrison largely engaged; he not only erected extensive merchant mills, but established a large ship-yard and built his own vessels. In all this, as might be supposed, he was very unsuccessful; and believing that his misfortunes proceeded from a want of mercantile skill, he determined that his eldest son should have such an education, as might retrieve the fortunes of his family, and he placed him in the counting-house of his friends, Willing and Morris.

Mr. Harrison had many children, but seven only survived their birth or very early infancy. Three of these were sons and four daughters; the latter of whom married into respectable and wealthy families of Virginia. Benjamin, the eldest son, was, as we have mentioned, sent when young to Philadelphia, and there obtained an excellent mercantile education. After he had completed that, he visited Europe, and formed extensive commercial connexions. During the revolutionary war he was paymaster general of the southern department. When peace was restored, he established himself as a merchant in Richmond, and there acquired a large fortune. This he afterwards impaired by an act of honourable generosity; as soon as he heard of the distresses of his early friend Mr. Morris, he came forward immediately to his support, and sacrificed in his behalf the greater part of the fortune he had acquired. He was twice married, and died of apoplexy in 1799, leaving an only son, the present Benjamin Harrison, of Berkeley. The second son, Carter Bassett Harrison, after receiving a classical education at the college of William and Mary, was bred to the law. He was not a man of brilliant talents, but he was a good lawyer, a fluent speaker, and a very upright man. In public life he was very popular, and served many years in the legislature, in congress, and as a presidential elector. He died in 1804, leaving two sons. The third son, William Henry Harrison, was educated at Hampden Sydney College, in Virginia, and was intended for the medical profession; this, however, he soon abandoned for an ensigny in the army, and marched to the new country of the west. He distinguished himself, while yet young, in the battle with the Indians at the rapids of Miami; was afterwards raised to the office of governor of the Indiana territory, which he filled with singular merit; and in the late war, by his perfect knowledge of the western country, his acquaintance with military tactics, and, above all, the confidence and respect which he universally inspired, was at an early period raised to a high military post on the north-western frontier, and became one of the most popular and successful commanders the republic had employed. On the return of peace, he received from his applauding countrymen the fair reward of his exertions, in being elected to several high political stations by the people of Ohio; and, in 1840, he was elevated by a majority without precedent in the history of the country, to the highest office in the gift of a free people. He died a short time after his accession to the Presidency, uttering the memorable words—"Maintain the Constitution."

THOMAS NELSON.

THOMAS NELSON, the subject of this memoir, was the eldest son of William Nelson. He was born at York, on the twenty-sixth of December, 1738. From his father, he inherited not only a very large landed estate, which descended to him in common with his brothers, but he received also, the entire amount of the partnership debts, which were estimated at forty thousand pounds, colonial currency, or about thirty thousand pounds sterling. In the summer of 1753, Mr. Thomas Nelson, being then in the fourteenth year of his age, was sent to England for his education. After spending some time at an excellent private school kept by a Mr. Newcomb, near Hackney, a village in the neighbourhood of London, he was removed to Cambridge. There he was entered of Trinity College, and had the good fortune to secure, as his private tutor, one of the best men, and most distinguished ornaments of the age, Dr. Beilby Porteus, afterwards bishop of London. Thus pleasantly and fortunately situated, Mr. Nelson remained until the close of the year 1761, when he returned to Virginia, his mind deeply imbued with a taste for literary knowledge, which formed the delight of his subsequent years, and his principles, both in politics and morals, firm, liberal, and pious.

In August, 1762, he married Miss Lucy Grymes, a daughter of Philip Grymes, Esq., of Brandon, in the neighbouring county of Middlesex, and with her settled at York, in an excellent and commodious house, which had probably been built for him by his father, nearly opposite to his own in the same town. Here, in the possession of an independent fortune, which he had received from his father at his marriage, he lived in a style of much elegance and hospitality. By his long residence in England, he had acquired, in a considerable degree, an attachment to the manners of its country gentlemen, and a fondness for their pursuits. These he somewhat adopted himself. He rode out daily to his plantation, a few miles from York, a servant generally attending him with his fowling piece,



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and he often amused himself in shooting. He kept a pack of hounds at a small farm near the town, and in the winter exercised himself, in company with his friends and neighbours, once or twice a week in a fox chase. His house was a scene of the most genteel and liberal hospitality: no gentleman ever stopped an hour in York without receiving an invitation to it, unless a previous acquaintance with him, and his hospitable character and manners rendered such an invitation unnecessary, according to the general mode at that time of visiting among gentlemen in Virginia. There were at this period, about a dozen very genteel and opulent families, who resided in York, and maintained among each other an intercourse not to be surpassed in unaffected politeness, hospitality, and friendship; and whenever a friend or acquaintance of either visited York, it was with difficulty he could leave it, until he had received the attentions and enjoyed the hospitality of the whole circle. Such was the harmony that prevailed in this little society, that no instance of its interruption on any occasion can be recollected. Thus situated, it will be believed Mr. Nelson passed his time in the full enjoyment of domestic happiness; but the troubles of his country soon called him from these gentler and perhaps more congenial pleasures, to oppose at first the petty tyranny of a provincial governor, and to array himself at last among the boldest champions of the nation in council and in war. His earlier years were adorned by all the charities of life, but his maturer age was devoted entirely to the severer duties of an upright citizen—*cari sunt parentes, cari liberi, propinqui, familiares; sed omnis omnium caritatum patriâ unâ complectitur.*

At what period Mr. Nelson entered into public life we have no means exactly to ascertain. In 1774, however, we find him in the house of burgesses, a delegate from his native town of York. This house of delegates, it may be recollected, passed some strong resolutions against the Boston port bill; in consequence of which, they were immediately dissolved by Lord Dunmore. Eighty-nine of them, however, among whom was Mr. Nelson, assembled the next day at a tavern, and entered into the celebrated association, declaring the unwarranted invasion of their rights, their determination to persevere in avoiding all commercial intercourse with Great Britain, and recommending the appointment of deputies from the several colonies to meet in general congress. On the dissolution of this assembly, he was again elected to the house of burgesses from the same county, and also a member of the first general convention, which met at Williamsburg on the first of August, 1774.

In the month of March of the next year, 1775, we find Mr. Nelson seated a second time in the general convention of the province; and taking a prominent part in a measure, the boldness of which startled some of the firmest friends of liberty. This measure was no less than the organization of a military force in the province; a step which, passing the line that yet seemed to bind the colonies to the mother country, placed them in the prominent position of a nation determined to gain or to hazard all.

An incident soon occurred which proved that the organization of a military force had become entirely necessary, and that a plan had been recommended by the ministry, and secretly adopted by the governors, of removing arms and military stores beyond the reach of the people. The exportation of powder from Great Britain had been already prohibited; General Gage had seized the ammunition collected at Concord, in Massachusetts; and Lord Dunmore determined not to forego his part in the same good work. On the twentieth of April, 1775, he accordingly seized and bore away all the powder in the magazine at Williamsburg. The particulars of this well known exploit it is unnecessary to detail. It produced an immediate and violent excitement throughout the province; the militia assembled in all parts, and marched towards Williamsburg, determined to regain the property which had been fraudulently seized, or to make equivalent reprisals. Alarmed by this prompt and manly resistance, the governor promised that the whole affair should be satisfactorily accommodated; and Mr. Nelson assumed personally the disagreeable office of meeting the militia, and exerting his influence to prevent any injury to the person of Lord Dunmore. During his absence on this mission, an act of unmanly violence was threatened, which aroused the indignation of the whole colony. Before daybreak on the morning of the fourth of May, Captain Montague, the commander of the *Fowey*, a British man-of-war lying off the town of York, landed a party of men with the following letter, addressed to Mr. Nelson's uncle, who was president of council: "I have this morning received certain information that his excellency, Lord Dunmore, governor of Virginia, is threatened with an attack, at daybreak this morning, at his palace at Williamsburg, and have thought proper to send a detachment from his majesty's ship under my command, to support his excellency; I therefore strongly pray you to make use of every endeavour to prevent the party from being molested and attacked, as in that case I shall be under a necessity to fire upon this town."

This infamous proceeding excited, as may well be imagined, the greatest indignation against Captain Montague. Whatever grounds there might have been for his information respecting the attack said to be contemplated upon the governor's palace, nothing could be more cruel and unjust, than to avenge it on the defenceless town of York and its inhabitants. The committee assembled at Williamsburg, expressed their detestation of his conduct in the strongest terms. "The committee," say they, in a set of resolutions which they immediately published, together with Captain Montague's letter, "taking into consideration the time of its being sent, which was too late to permit the president to use his influence, had the inhabitants been disposed to molest and attack the detachment; and further considering that Colonel Nelson, who, had this threat been carried into execution, must have been a principal sufferer, was at that very moment exerting his utmost endeavours in behalf of government, and the safety of his excellency's person, unanimously come to the following resolutions:

"That Captain Montague, in threatening to fire upon a defenceless town, in case of an attack upon the detachment, in which said town might not be concerned, has testified a spirit of cruelty unprecedented in the annals of civilized times; that, in his late notice to the president, he has added insult to cruelty; and that, considering the circumstances already mentioned, of one of the most considerable inhabitants of said town, he has discovered the most hellish principles that can actuate a human mind.

"That it be recommended to the inhabitants of this town, and to the country in general, that they do not entertain or show any other mark of civility to Captain Montague, besides what common decency and absolute necessity require."

The affair of the powder was compromised the same day, by the payment of three hundred and twenty pounds, its estimated value, which was transmitted to the continental congress, and expended in the purchase of an equal quantity for the use of the colony. A short time afterwards, Lord Dunmore removed himself and his family from the palace in Williamsburg, on board the Fowey; and although most earnestly solicited to return, by the house of burgesses and the council, then in session, he persisted in remaining in the vessel.

The third convention of Virginia delegates assembled at Richmond, on the seventeenth of July following. The proceedings of this convention were marked by a character of great decision and vigour. One of their first measures was an ordinance for raising

and embodying a sufficient force for the defence and protection of the colony; to be forthwith armed, trained, furnished with all military accoutrements, and ready to march at a minute's warning. Immediately after passing this ordinance, the convention proceeded to appoint the various officers to command the new body of troops which they thus determined to organize. They elected Patrick Henry colonel of the first regiment, and Thomas Nelson colonel of the second; a third regiment was afterwards agreed to be raised, of which William Woodford was appointed colonel.

On the eleventh of August, 1775, the convention proceeded to the appointment of delegates, to represent the colony in the continental congress for one year, and Colonel Nelson was elected one of them. In consequence of this appointment, he of course immediately resigned his station at the head of the second regiment of the Virginia forces, and repaired to Philadelphia with his companions. He took his seat in congress on the thirteenth of September, 1775.

During the remainder of this year he continued at Philadelphia, acting frequently on various committees, but distinguished rather for his sound judgment and liberal sentiments, than from any conspicuous part in debate. Nor were his constituents at home unmindful of his services. During his absence in congress, the convention met as usual, and proceeded to the election of delegates to the next congress; when Mr. Nelson was returned as one of these for the succeeding year. It would be uninteresting to trace his name as it is found on the journals of congress, as a member of various committees through the remainder of this year, and the spring and summer of 1777. It will be enough to say, that his duties were frequently arduous, delicate, and important in their nature and results, and that in their performance he was usually successful. This career of public usefulness was cut short by an unfortunate accident. On the second of May, while seated in the hall of congress, he was suddenly seized with an indisposition so violent as to oblige him immediately to leave the room. It appears to have been an attack of the head; and in one of his letters he mentions, that his memory was so much impaired at the time, that he could with difficulty recollect any thing. His reluctance to withdraw at that moment from a post where his services were so useful, was extreme, and he for some time persisted in remaining, with the vain hope that he would gradually recover. This, however, was not the case; he was obliged to obtain leave of absence, and at the next meeting of the convention he resigned his seat, in which he was succeeded by Mr. Mason.

Mr. Nelson had not been long at home, when his services were again demanded by the public. On the sixteenth of August, intelligence was received that a British fleet had entered the capes. The several corps of militia throughout the commonwealth were ordered to march to Williamsburg, York, Portsmouth, and other points likely to attract the attention of the foe. This call was obeyed with cheerful and honourable alacrity. The militia rapidly assembled at their respective places of rendezvous; and Thomas Nelson, then county lieutenant of York, was by the governor and council immediately appointed brigadier general and commander-in-chief of the forces in the commonwealth. Combining the advantages of education with those of fortune; military skill and gallantry with legislative talents and patriotic virtues—affable, modest, and generous—Nelson was universally esteemed and beloved. His appointment, the emoluments of which he nobly declined, whilst he eagerly assumed its arduous duties, inspired the people and the army with fresh confidence and animating hopes. The approach of a fleet, in itself tremendous, was viewed by resolute and free citizens with a calm and serene eye. Virginia, however, was not destined yet to be the theatre of action. Sir William Howe continued his course directly up the Chesapeake Bay, and the state was relieved, at least for a time, from the ravages of the enemy.

In the month of October following, an act was introduced and subsequently passed in the Virginia legislature, for the sequestration of British property. Mr. Nelson was at this time a member of the legislature, and opposed it in the most determined manner. The estates which were thus suddenly confiscated, he urged, had been acquired; and these debts which were in fact discharged, had been incurred under the sanction of laws and relations known to both parties in the contract, and then held sacred. The conduct of the British government had offered no excuse, for as yet they had made no confiscation under similar inducements. Even the acts of that government, such as they had been, were not the acts of individuals, and these alone were made to suffer by such a measure. But not only did he oppose it, he asserted, on the ground of injustice to these innocent persons, who might even have reprobated the very policy for which they were made to suffer, but he objected to it as a matter of ingratitude to creditors, who might, in many instances, be regarded as benefactors to persons whose capital was small, but on whose honour and integrity they relied. "For these reasons, sir," he exclaimed with honest vehemence, after a long and power-

ful address—"for these reasons I hope the bill will be rejected; but whatever be its fate, by God, I will pay my debts like an honest man." The momentary breach of order was overlooked and pardoned by the assembly; every member of which, whatever might have been his sentiments on the measure itself, viewed with respect the noble feelings which had caused it.

On the second of March, 1778, congress resolved that it be recommended to the governments of the respective states to raise a troop or troops of light cavalry to serve at their own expense, except in the articles of provisions and forage. As soon as these resolutions were received in Virginia, Mr. Nelson, who had now been raised to the rank of a general officer, published a most animating and spirited address to the young gentlemen of fortune in that state. He urged them to follow the request of congress, and proposed a meeting at Fredericksburg on the twenty-fifth May, for carrying the measure into full effect. In pursuance of this gallant enterprise, about seventy young men assembled, and after uniting themselves together in a voluntary company, they elected General Nelson their commanding officer. They proceeded immediately to equip themselves for active service: but this, in the state of the times and resources of the country, was an affair of considerable difficulty. At length, however, they were sufficiently organized, and commenced their march to Baltimore, where they arrived early in the month of July. Here the little band was received and reviewed by Colonel Pulaski, who was there at that time himself, with the hope of raising a similar corps; he expressed his high admiration of their gallantry and excellent condition, and exerted himself in every mode, to obtain for them whatever was wanting to complete their equipment. At length every thing being prepared, they were ready to commence their march and join the main army under General Washington; their gallant and generous commander well knew, however, that many had embarked with him from the purest principles of patriotism, when their slender means ill warranted such an expedition. He called them together, therefore, on the eve of their departure; he explained to them his views; he encouraged them by his own animated confidence; and he held out to them the fair hope of remuneration at some more prosperous day. "If, however," he concluded, "any one here is in want of money, let him repair to my quarters; I will myself supply him." Many accepted his offer, as their wants became pressing and their means decreased. He was in fact the banker for the whole company; his generosity was

displayed throughout the whole expedition; and, as is unfortunately too often the result of such conduct, he finally suffered the loss of very considerable sums. From Baltimore he marched to Philadelphia, whither, on the retreat of Sir William Howe, congress had again returned; and held himself in readiness to proceed to the army. This, however, was now deemed inexpedient; for we find on the journals of the eighth of August, the following notice:

“Whereas, in pursuance of the recommendation of congress of March the second, a volunteer corps of cavalry from the state of Virginia, under the command of the honourable General Nelson, are now in this city, on their way to the army, under the command of General Washington: and, whereas, the removal of the enemy from this state renders the employment of this corps at present unnecessary:

“Resolved, That it be recommended to the said corps to return, and that the thanks of congress be given to the honourable General Nelson and the officers and gentlemen under his command, for their brave, generous, and patriotic efforts in the cause of their country.” As soon as this resolution was passed, General Nelson assembled the corps together, made a further advance of money from his individual funds to those who were in want, and then disbanded them.

This active exercise seems to have restored the health of Mr. Nelson, and he was again induced to listen to the wishes of his countrymen, by becoming a delegate to congress. On the eighteenth of February, 1779, he took his seat in that assembly; and we soon after find him an active member of several important committees. He was especially engaged on that for forming a plan of defence for the southern states; an object which had become of immense importance, since the British had determined to make it the future theatre of war. His constitution, however, was still unequal to the severe labour and confinement which these duties required. Early in April, he experienced a return of the same illness with which he had been previously afflicted; and after a vain struggle to resist it, and continue his political labours, he was compelled, by increasing indisposition and the entreaties of his physicians and friends, to return home.

He was not long permitted, however, to enjoy the repose of domestic life. The services of the senate were given up, but he was soon called on for those of the field. In the month of May, Virginia became the victim of that system of rapine and plunder to which the British resorted, in violation of all rules of civilized and Chris-

tian warfare. Having publicly avowed their resolution of pursuing those measures "which should make the colonies of as little avail as possible to their new connexions," they selected Virginia as one of the first scenes of operation. They sailed for Portsmouth, a small place on the western shore of Elizabeth river, and on their arrival took possession of that defenceless town. The remains of Norfolk, on the opposite side of the river, fell, of course, into their hands. The Americans burned some of their own vessels; but others were made prizes by the invaders. The British guards marched eighteen miles in the night, and, arriving at Suffolk by morning, proceeded to the destruction of vessels, naval stores, and a large magazine of provisions, which had been deposited in that place. A similar destruction was carried on at Kemp's landing, Shepherd's Gosport, Tanner's creek, and other places in the vicinity.

Early in June, 1780, the general assembly came to the resolution of borrowing two millions of dollars, to be placed in the continental treasury, by the fifteenth of that month. The object of this supply was to enable congress to make provision for the French fleet and armament, of whose immediate arrival the strongest assurances had been given. As soon as this measure was adopted, a copy of the resolution was sent to General Nelson, who commenced, without delay, the most active personal exertions, to procure the assistance and contributions of his friends, and others with whom he was acquainted. Having effected all that was possible in his own neighbourhood, he made an excursion through the southern counties of the state, with the same patriotic motive. It was, however, a task of great difficulty. The resources of the country had been already drained. Its credit was gone. And those who possessed money, were afraid to trust it on no better security than that of a government already too deeply involved, and with so little apparent means of extricating itself from its difficulties. The consequences were such as might have been expected. Notwithstanding his uncommon influence, his applications in almost every instance proved unsuccessful. To his urgent importunities, the constant reply was—"We will not lend the government a shilling—but we will lend you, Thomas Nelson, all we can possibly raise." Thus situated, General Nelson determined, without hesitation, to add his own personal security to that of the government; and by so doing succeeded in raising, before his return to York, a considerable portion of the requisite loan.

These are not the only losses he sustained from his patriotic readiness to aid the public credit, and afford assistance to those who had been employed in the service of the country without remuneration. There is a well-authenticated tradition, that during the revolutionary war, two regiments, stationed at York and Williamsburg, received orders to march southward. The government, however, was without funds, and the soldiers refused to proceed until their arrears were discharged. General Nelson was informed of the circumstance. He advanced the money which was demanded without hesitation, and the troops immediately commenced their march.

The following spring is the most gloomy period in the annals of Virginia. On the sea coast she was exposed to the ravages of Arnold and Philips, and from the south she was overrun by the army of Cornwallis. Amid these scenes it will not be imagined that General Nelson was inactive. He was the favourite soldier of Virginia, and we hear of him in all directions, animating the troops by his energy and example, or planning expeditions to oppose the enemy. This, however, is not the place for dwelling in detail on events which are rather matter of general history, and cannot be introduced with proper minuteness into a sketch like this. Passing over, therefore, the public events of the early part of the year 1781, we find General Nelson, in the month of June, summoned from his duties in the field to fill the supreme office of the commonwealth. At that period the constitutional term of Mr. Jefferson's service in the office of governor expired, and General Nelson was elected his successor. He was immediately called on to act with the utmost promptness. The enemy were overrunning the country in every direction, and he therefore determined at once to take the field with all the militia he could muster. The Marquis de Lafayette had been sent to Virginia, with a body of continental troops, to check the ravages of the British until some more definitive arrangements for the campaign could be made. Under the marquis, governor Nelson immediately placed himself and his troops. He yielded, without hesitation, the rank which his office gave him in his own state, and thus united the whole force in perfect harmony and discipline.

While on the one hand, however, in pursuit of the general good he yielded that to which his office fairly entitled him, the same great end sometimes obliged him to step beyond the boundaries which, in the administration of his public duties, the constitution drew around

him. By that instrument it was declared, "that the governor should, with the advice of a council of state, exercise the powers of the government according to the laws of the commonwealth; and should not, under any pretence, exercise any power of prorogation by virtue of any law, statute, or custom of England." The legislature, aware of the difficulties of the times, the necessity of extraordinary measures, and the uncertainty and even danger which attended their meetings, when they were driven by Tarleton from Charlottesville to Staunton, passed a law by which "the governor, with the advice of the council, was empowered to procure, by impress or otherwise, under such regulations as they should desire, provisions of every kind, all sorts of clothing, accoutrements and furniture proper for the use of the army, negroes as pioneers, horses both for draught and cavalry, wagons, boats, and other vessels with their crews, and all other things which might be necessary for supplying the militia or other troops employed in the public service." Bound by these strict provision of the law, the governor was placed in a situation of much difficulty. Two members of the council had just fallen into the hands of Tarleton, the celebrated British officer, who, with his chosen body of light horse, ravaged the country in every direction, and made every thing his prey; they were liberated, it is true, but only on giving their parole, that they would not resume their public duties. Two others had resigned, probably from the inconvenience or danger of remaining at the seat of government. The council was thus reduced to four members, the least number which, according to the constitution, was competent to transact business. In the dreadful state of the country, overrun in every direction by hostile armies, with little means of knowing the position of each other, with no time to deliberate, and perhaps unacquainted with the nature and exigency of particular measures, it was vain to hope that these gentlemen could regularly perform the duties of a council of state. Yet it was with the advice of that council alone, that the governor could constitutionally act.

In this dilemma, Mr. Nelson was driven, by necessity, to perform many measures on his own authority and at his own responsibility—a course of conduct infinitely painful to a man of his sound political principles, and strict views of public rights. On the one hand, he saw and felt that he was departing from the line of his duty, as defined and limited by the laws of the commonwealth: on the other, he knew that its salvation, and indeed that of all the Union, was at stake. *Salus populi lex suprema*. He decided to risk censure,

perhaps punishment, for his conduct, and pursue the disinterested course which promised the greatest general benefit to the whole community. This determination once formed, he promptly executed it. As soon as the allied army reached Virginia, every measure which his office, his public or personal influence, and his private wealth enabled him to adopt, was promptly done; and it was certainly owing, in no small degree, to his exertions, that the frail materials of the army were kept together until they secured the liberties of the country, by the glorious and final blow given to the enemy at Yorktown.

Need we say that during that memorable siege General Nelson was at the head of his militia, and participated with them in all the dangers and glories of the enterprise? Before the walls of his native town, and in almost the last public action of his life, he displayed the same gallantry, the same disinterested patriotic zeal, which was so conspicuous in his earlier days, and in all the scenes of various adventure in which his fortune cast him. Tradition has preserved some anecdotes of those interesting times; but unfortunately we are fast losing, in the cold generalities of history, those neglected incidents which throw over it a livelier interest, and impart to it a stronger reality. One little event has been preserved, and deserves to be related. It is said of Governor Nelson, that, during the siege, observing his own house uninjured by the artillery of the American batteries, he inquired into the cause. A respect for his property, was assigned. Nelson, whose devotion to the common cause was ardent and unbounded, requested that the artilleryists would not spare his house more than any other, especially as he knew it to be occupied by the principal officers of the British army. Two pieces were accordingly pointed against it. The first shot went through the house, and killed two of a large company of officers, then indulging in the pleasures of the table. Other balls soon dislodged the hostile tenants.

When the adventures of the siege was terminated by the glorious reduction of the British army, the services of General Nelson were not forgotten. He had the gratification, too, to receive that meed of praise which he had so fairly won, from him who never bestowed it when undeserved, and whose praise or censure will stamp forever the character of those on whom it has fallen. General Washington thus speaks of him in his general orders of the twentieth of October, 1781: "The general would be guilty of the highest ingratitude, a crime of which he hopes he shall never be accused, if he forgot to

return his sincere acknowledgments to his excellency, Governor Nelson, for the succours which he received from him and the militia under his command, to whose activity, emulation, and bravery, the highest praises are due. The magnitude of the acquisition will be ample compensation for the difficulties and dangers which they met with so much firmness and patriotism."

The constitution of Governor Nelson, however, delicate as we have seen it to be, was not proof against the fatigues his arduous duties had obliged him to endure. He remained in office a month after the surrender of Lord Cornwallis; but on the twentieth of November, 1781, we find a letter addressed by him to the speaker of the house of delegates, by which he retires from it. "The very low state of health," he says, "to which I am reduced, and from which I have little expectation of soon recovering, makes it my duty to resign the government, that the state may not suffer for want of an executive." His resignation was accepted, and a successor appointed. After an arduous political life, and considerably advanced in years, Mr. Nelson again returned to private life, but he did not return to that unmolested enjoyment of it, which was the just reward of his services. There are always those who hang around the skirts of the good and manly, to annoy them with petty molestations, and to gratify themselves by carping at, and misinterpreting their conduct, through either a pitiful envy, or a grasping selfishness. We have already adverted to the steps which necessity reluctantly compelled Governor Nelson to take, on the virtual extinction of the council of state. His resignation was scarcely accepted, when a petition and remonstrance was presented to the house of delegates, from sundry inhabitants of the county of Prince William. In this they stated, among other things, that they laboured under divers grievances, which had proceeded from the several acts of the legislature, vesting extraordinary powers in the executive, authorizing impresses, laying an embargo, and making the paper money a legal tender; that under these acts, the greatest violation and abuse of the laws had taken place; but that the late governor had still further assumed the power to dispense with the laws themselves, and disregarding their necessary and patriotic restraints, had issued his warrants without the advice of the executive council, and authorized impresses in the most unrestrained and arbitrary manner.

The effect of an accusation so unfounded, on such a man as Mr. Nelson, is not to be described. Although he appeared to be fast

sinking into that grave which would bury his errors, and disappoint the mean vengeance of his enemies, he no sooner heard of the charge than he desired promptly to repel it. "I only ask," he immediately wrote to the speaker of the house of delegates, "I only request that I may be indulged with half an hour, that I may lay before the house a candid statement of facts, and my reasons for adopting the measures which have given so much offence." His wish was of course immediately granted; his letter was referred to a committee on the state of the commonwealth, by whom the charges were investigated, and they made a report absolving him from blame; which was twice read, and agreed to without a dissenting voice. To the candid inquirer into the truths of history, this evidence will be all sufficient; yet it is to be regretted the report itself is no longer in existence. In times of tumult and revolution, the regular record of events is often lost, and we are obliged to rely on such facts as prove the general result. In the journal of the day the report was never entered; in the place which it should occupy, a large blank is left with the words "as followeth," immediately preceding it; and the original document cannot now be found. One act of justice alone remained; it was to relieve Mr. Nelson from the unpleasant circumstances to which his patriotic conduct might subject him. This was done by an act of the legislature, which we shall insert at length, as a tribute due to the memory of this excellent gentleman. It was passed on the thirty-first of December, 1781, and is as follows:

"An act to indemnify THOMAS NELSON, Esquire, late governor of this commonwealth, and to legalize certain acts of his administration. Whereas, upon examination, it appears that previous to and during the siege of York, Thomas Nelson, Esquire, late governor of this commonwealth, was compelled by the peculiar circumstances of the state and army, to perform many acts of government without the advice of the council of state, for the purpose of procuring subsistence and other necessities for the allied army under the command of his excellency General Washington; be it enacted that all such acts of government, evidently productive of general good, and warranted by necessity, be judged and held of the same validity, and the like proceedings be had on them as if they had been executed by and with the advice of the council, and with all the formalities prescribed by law. And be it further enacted, that the said Thomas Nelson, Esquire, be, and he hereby is, in the fullest manner, indemnified and exonerated from all penalties and dangers which might have accrued to him from the same."

After passing thus honourably through the ordeal of public opinion, Mr. Nelson determined to retire from political life, and fixed himself chiefly at a pretty little estate called Offly, in Hanover county. Here, surrounded by his numerous family, he brought back, in some degree, the gentler pleasures of his earlier youth, and assembled around him not only his own countrymen, but many a foreigner, who left his hospitable mansion delighted with his distinguished and benevolent host.

From the period of Mr. Nelson's retirement, his health continued to decline. He never afterwards engaged in any public transactions, but lived alternately at his seat in Hanover county, and his house at York, where he had formerly resided, until his death. This event happened at the former place on the fourth of January, 1789, just after he had completed his fiftieth year. He descended into the grave honoured and beloved; and, alas! of his once vast estates, that honour and love was almost all that he left behind him. He had spent a princely fortune in his country's service; his horses had been taken from the plough, and sent to drag the munitions of war; his granaries had been thrown open to a starving soldiery, and his ample purse had been drained to its last dollar, when the credit of Virginia could not bring a sixpence into her treasury. Yet it was the widow of this man, who, beyond eighty years of age, blind, infirm, and poor, had yet to learn whether republics can be grateful.

After the simple narrative which we have here given of the principal events of Mr. Nelson's life, no laboured eulogy of his character and virtues will be demanded. If, after contemplating the splendid and heroic parts of his character, we shall inquire for the milder virtues of humanity, and seek for the man, we shall find the refined, beneficent and social qualities of private life, through all its forms and combinations, so happily modified and united in him, that in the words of the darling poet of nature, it may be said,

"His life was gentle; and the elements
So mixed in him, that nature might stand up
And say to all the world—this was a man."



BIRTH PLACE OF R.H. LEE & FRANCIS LIGHTFOOT LEE.
Chesford House - Westmoreland

FRANCIS LIGHTFOOT LEE.

FRANCIS LIGHTFOOT LEE was born on the fourteenth day of October, 1734. His classical and literary acquirements were entirely derived from his domestic tutor, a Scotch clergyman of the name of Craig, who, being a man of science, not only made him a good scholar, but gave him an early fondness for reading and mental investigation, which, in a mind so apt and vigorous by nature, prepared him for those scenes of usefulness and honour in which he was afterwards engaged. The independent fortune bequeathed to him by his father, precluded the necessity of studying a profession: hence, possessing the refined wit and humour of a Sterne, together with a voice of the most melodious sweetness and power, his outset in life was a round of pleasurable enjoyments. His company was eagerly solicited, and the fair sex vied with his own in showing the gratification which his presence every where occasioned.

Among the first who anticipated the evils which a rapacious and unprincipled administration was preparing for the colonies, Richard Henry Lee, the elder brother of Mr. Lee, stood forth, as we have already recorded, with a firmness and zeal which gave animation to all around him. It was impossible to listen to his eloquence, depicting in the strong language of an indignant patriot, the policy that desired, under the pretence of raising a revenue, to sacrifice the most precious rights of a free people at the shrine of despotism, without feeling the glow of genuine patriotism thrilling through the frame. Attached as he was to ease and pleasure, Mr. Lee heard and felt these warning counsels, not only as a brother, but as one in whose breast the love of country was also a prevailing passion. The song, the dance, the convivial party, began to lose their charms, and gradually to yield to the sterner duties of the citizen.

Mr. Lee now offered himself as a candidate for the county of Loudon, in the province of Virginia, where his lands were situated, and took his seat as a member of the house of burgesses, about the year 1765. Although not gifted with the powers of oratory, his

good sense, extensive reading, and sound and discriminating judgment, made him a useful member of the house. In this situation he continued until the year 1772, when he married Rebecca, the second daughter of Colonel John Tayloe, of the county of Richmond; and his term of service, as representative of the county of Loudon, having expired, he was elected a member for the county of Richmond, in which, after his marriage, he had permanently established his residence.

Mr. Lee filed no other public station than that of a member of the Virginia assembly previous to the fifteenth of August, 1775, when, upon the resignation of Colonel Bland, he was elected a member of the continental congress by the convention of Virginia. The selection of Mr. Lee, at such a period, to represent his country in such a body, affords conclusive evidence of the high opinion entertained of his abilities and public spirit. Nor were the expectations of his countrymen disappointed; for he appears to have so far enjoyed their confidence, as to have been successively re-elected to that office on the twentieth of June, 1776, twenty-second May, 1777, and twenty-ninth May, 1778.

Although Mr. Lee was not accustomed to public speaking, and from his earliest entrance into life was addicted more to pleasure than business, yet, when duty urged him to exertion, very few surpassed him in depth of thought, strength of argument, and force of conclusion. He was, therefore, appointed to many of the most important committees of congress, and often filled the chair as chairman of the committee of the whole.

Whilst a member of the continental congress, Mr. Lee assisted in framing the old articles of confederation, which, although subsequently found incompetent to the purposes of union, and to the promotion of the prosperity of a growing people, were, nevertheless, the cement which at that time bound the states together in one common cause, and finally gave success to their views. So much wisdom, fortitude, justice, and disinterestedness, marked the conduct of congress, that the obedience of the states was voluntarily and cheerfully given to their calls. Indeed, the annals of the world can hardly afford greater proof of pure and honest patriotism, than the whole conduct of the continental congress, at that period, exhibited; nor of a people, whose love of liberty, and estimation of talents and worth caused them more contentedly to submit to privations, and obey the wishes of those in whom they confided.

In the spring of 1779, Mr. Lee retired from congress and re-

turned to the home to which both his temper and inclination led him, with pleasure and delight. He was not, however, long permitted to enjoy the satisfaction it conferred ; for the internal affairs of his native state were in a situation of so much agitation and perplexity, that his fellow citizens insisted on his representing them in the senate of Virginia. He carried into that body all the integrity, sound judgment, and love of country, for which he had ever been conspicuous, and his labours there were alike honourable to himself, and useful to the state.

He did not long remain in this situation. His love of ease, and fondness for domestic occupations, now gained the entire ascendancy over him, and he retired from public life with a firm determination of never again engaging in its busy and wearisome scenes : and to this determination he strictly adhered. In this retirement, his character was most conspicuous. He always possessed more of the gay, good humour, and pleasing wit of Atticus, than the sternness of Cato, or the eloquence of Cicero. To the young, the old, the grave, the gay, he was alike a pleasing and interesting companion. None approached him with diffidence ; no one left him but with regret. To the poor around him he was a counsellor, physician, and friend ; to others, his conversation was at once agreeable and instructive, and his life a fine example for imitation. Like the great founder of our republic, he was much attached to agriculture, and retained from his estate a small farm for experiment and amusement.

Having no children, Mr. Lee lived an easy and a quiet life. Reading, farming, and the company of his friends and relatives, filled up the remaining portion of his days. A pleurisy, caught in one of the coldest winters ever felt in Virginia, terminated the existence of both his beloved wife and himself within a few days of each other. His last moments were those of a Christian, a good, an honest, and a virtuous man ; and those who witnessed the scene were all ready to exclaim, " Let me die the death of the righteous, and let my last end be like his."

CARTER BRAXTON.

CARTER BRAXTON was born at Newington, the seat of his father, a handsome mansion situated on the northern bank of Mattapony river, in the county of King and Queen, Virginia, on the tenth of September, 1736. His father, George Braxton, a wealthy planter, derived the greater part of his estate from his ancestors, who, it is believed, had acquired it principally by commercial pursuits.

Carter Braxton received a liberal education at the college of William and Mary, at that time one of the best seminaries in the British colonies. He derived from his father and grandfather, a very considerable fortune, consisting chiefly of land and slaves. He possessed three or four very large plantations in the county of King William, on Pamunkey river, the products of which were tobacco and Indian corn, at that time the staples of the country; and also a very large body of land in the county of Amhurst, most favourably situated for the culture of tobacco. He acquired the possession of this large estate at an early period of life, and there were few young men in the colony on whom fortune smiled more propitiously, in the beginning.

At the early age of nineteen years, he married Judith Robinson, a young lady of great beauty, and daughter of Mr. Christopher Robinson, a wealthy planter of the county of Middlesex, and a relative of speaker Robinson. By this marriage he acquired an accession to his already large estate. This lady bore him two daughters, but in giving birth to the second, died on the thirtieth of December, 1757, in the twenty-first year of her age.

Soon after the death of his wife, Mr. Braxton embarked for England, where he remained several years, and returned to his native land in the autumn of 1760. It is believed that his principal object in making this visit was the improvement of his mind and manners, by an intercourse with the best and most polished society in the metropolis of the British empire.



RES. OF CARTER BRAXTON
New York 1857

On the fifteenth of May, 1761, he married Elizabeth Corbin, the eldest daughter of Richard Corbin, of Lanneville, King and Queen county, who was at that time, and until the commencement of hostilities, the king's receiver general of the customs in the colony of Virginia; by this marriage he had sixteen children, of whom six died in infancy.

The extent of Mr. Braxton's fortune rendering it unnecessary for him to study any profession, his occupation, during the early part of his life, was that of a gentleman planter. His habits were undoubtedly very expensive, according to the fashion of that day amongst all those who have been denominated the landed aristocracy of the colony. His cellars were filled with the finest wines, and his plate and other furniture, were of the richest kind. His manners were refined, and his hospitality generous; and his house became the resort of the gay, the fashionable, and the rich.

It is not now possible to ascertain the precise period when Mr. Braxton was first called into public life. It is believed, however, that he was a member of the house of burgesses, the popular branch of the colonial legislature, as early as the year 1761; and that he took an active part in the eventful session of 1765, when the celebrated resolutions of Patrick Henry were adopted. By these it was strongly affirmed, that the sole right and power to lay taxes and impositions on the people of the colony, was in the general assembly, and that every attempt to vest such power in the parliament, had a manifest tendency to destroy British as well as American freedom.

In the session of the house of burgesses, which commenced on the eleventh of May, 1769, being a new assembly elected, and convened soon after the arrival of Lord Bottetourt, as governor of Virginia, Mr. Braxton was one of the delegates from the county of King William. The proceedings, and speedy dissolution of that body, are matters of history. The session was marked by a set of resolutions so strong, as to have excited even the amiable and popular Bottetourt to displeasure.

Lord Bottetourt was then fresh from the court of his royal master, and did not at all relish the noble stand which the house had unexpectedly taken. The adoption of the resolutions caused the immediate dissolution of the assembly, by the governor, in these words: "Mr. Speaker and gentlemen of the house of burgesses,—I have heard of your resolves, and augur ill of their effects. You have made it my duty to dissolve you, and you are dissolved accordingly."

—But the minds of that assembly were too firm and enlightened, to be driven from the defence of the sacred rights of their constituents, by this act of power. As soon as they were dissolved, the whole body assembled in a private house of the city of Williamsburg, and entered into the memorable non-importation agreement of the eighteenth of May, 1769. In the subscription to that agreement, we find the name of Carter Braxton associated with the venerated names of Randolph, Nicholas, Bland, Cary, Carter, Lee, Washington, Henry, Jefferson, Nelson, and numerous other pure, disinterested, and determined patriots.

But the dissolution of the house of burgesses did not change the materials of which it had been composed. The same members were re-elected without a single exception, and among them, Mr. Braxton. At the first meeting of this assembly, which took place on the seventh of November, 1769, much greater harmony prevailed than had existed for several years before. This state of things is easily accounted for, by an extract from the opening speech of Lord Bottetourt: "I think myself peculiarly fortunate," said his lordship, "to be able to inform you, that in a letter dated thirteenth of May, I have been assured by the earl of Hillsborough, that his majesty's present administration have at no time entertained a design to propose to parliament, to lay any further taxes upon America, for the purpose of raising a revenue; and that it is their intention to propose, in the next session of parliament, *to take off the duties upon glass, paper, and colours*, upon consideration of such duties having been laid contrary to the true principles of commerce. It may possibly be objected, that as his majesty's present administration are not immortal, their successors may be inclined to attempt to undo what the present ministers should have attempted to perform; and to that objection I can give but this answer,—that it is my firm opinion, that the plan I have stated to you will certainly take place, and that it will never be departed from; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not, to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am, or ever shall be, legally invested, in order to obtain and maintain for the continent of America, that satisfaction which I have been authorized to promise this day, by the confidential servants of our gracious sovereign, who, to my certain knowledge, rates his honour so high, that he would rather part with his crown than preserve it by deceit."—The noble sentiments expressed

by the governor, and the feeling manner in which they were conveyed, were fully reciprocated by the house.

The second session closed on the twenty-eighth of June, and the house was prorogued to the twenty-fifth of October following, but did not meet before the eleventh of July, 1771. In the interval, Lord Bottetourt died, and the executive government devolved for a short period, on William Nelson, president of the council. Lord Dunmore shortly afterwards assumed the reins of government, and, by proclamation, bearing date the twelfth of October, 1771, dissolved the late assembly, and writs were issued for a new one, which met on the tenth of February, 1772. At the time of the election of burgesses, Mr. Braxton was high sheriff of his county, and consequently ineligible to a seat in the assembly.

After the dissolution of the legislature by Dunmore, on the twenty-seventh of May, 1774, a spirited association was immediately entered into by eighty-nine of its members, which recommended, amongst other things, that the several colonies of British America, should appoint deputies to meet in general congress. The effect of this recommendation was the election, by the several counties in Virginia, of a convention, which met in Williamsburg, on the first of August, 1774. Of this convention, the first that ever met in Virginia, Carter Braxton was a member, being elected by the people of King William county. At their first meeting, they pledged themselves to make a common cause with the people of Boston in every extremity, and broke off all commercial connexion with the mother country. They appointed seven delegates to the congress on the part of Virginia, and furnished them with a spirited letter of instructions.

The same convention again met at Richmond, on the twentieth of March, 1775, and after adopting the strongest measures for putting the country in a posture of defence, and passing resolutions for encouraging the growth of wool, flax, hemp, and cotton, the manufacture of cloths, iron, nails, and gunpowder, and making other useful regulations, they dissolved themselves, having been a week in session, and recommended to the people of the counties to elect delegates to another convention to serve for one year. Thus early did the doctrine of annual elections entwine itself around the affections of this patriotic people.

In the spring of this year, an event occurred in which Mr. Braxton bore a conspicuous part. On the twentieth of April, 1775, at night, Lord Dunmore caused the powder belonging to the colony,

and which was deposited in the magazine at Williamsburg, to be secretly withdrawn, and transferred to a British armed ship, then lying at Burwell's Ferry, on James' river. The pretext for this unlawful seizure was, that the governor had heard of an insurrection of the slaves in a neighbouring county, and that he had removed the powder to a place of greater security; that he assured the municipal authority of Williamsburg, that whenever it was wanted on any insurrection, it should be returned in half an hour. This conditional promise of the return of the powder, supported by the influence of Mr. Peyton Randolph, Mr. Nicholas, and others, who were well known and respected as patriots, had the effect of quieting, although it did not satisfy, the minds of the people of that ancient city. When this news spread through the country, it produced an electrical effect. The volunteer militia of several adjacent counties assembled at Fredericksburg, to the number of six or seven hundred men. They were with difficulty restrained from marching. They elected a council, which decided on deputing Mr. Mann Page to Williamsburg, to ascertain the state of affairs. A letter from Peyton Randolph, who was then the president of congress, and known to be an ardent friend of American liberty, induced them, with reluctance, to retire to their respective homes. Before they retired, however, they published their sentiments, and their advice to their brothers in arms, concluding with a firm resolution to re-assemble at a moment's warning, and by force of arms, to defend the laws, liberties, and rights, of that and of any sister colony. This publication was despatched to the other counties, and caused the disbanding of the volunteers assembled near Mr. Pendleton's in Caroline, and of those coming down from the counties of Berkeley, Frederick, and Dunmore (now Shenandoah.) But this advice was not followed, nor approved of, by the Hanover volunteers. Patrick Henry was at their head. He spoke to them, and they marched. Their object was to obtain, by making reprisals on the king's property, sufficient to indemnify the colony for the powder that had been taken away.

It is remarkable, how essentially, at this moment, the leaders of the patriots in Virginia differed from each other in their opinions of the measures proper to be pursued. The advice which Randolph gave to the volunteers at Fredericksburg, proceeded from the purest and most patriotic motives. With him agreed Nicholas, Pendleton, and other distinguished friends of American liberty. They were anxious to avoid proceeding to extremities: they endeavoured to

avoid the shedding of blood. They still clung to the fond hope that a reconciliation might be effected, and all their rights secured without a resort to force. They probably thought that by striking the first blow, they might be placed in the wrong, and that, by temperance and forbearance, they would gain more friends to the cause of their country—if they should be driven finally to independence—than by giving way to an ebullition of passion, even though it was caused by an acknowledged wrong, and by an illegal act of power. On the contrary, Mr. Henry was even then perfectly satisfied, “that we must fight;” that there was no way of avoiding it with honour; that, as the blow was in fact struck by the royal governor, it would be dastardly and disgraceful to submit to it; and that much benefit would result to the cause of freedom, by immediately resenting the insult, and obtaining redress for the injury. Posterior events proved that Henry was the true prophet, and his countrymen have uniformly applauded his zeal and admired his courage. His company consisted of about one hundred and fifty men, well armed and equipped, and with this force he had advanced on the evening of the third of May, as far as Doncastle’s, within sixteen miles of Williamsburg. Lord Dunmore seemed determined to prepare for the contest, and obtained, from the Fowey man of war, a detachment of forty marines to guard his palace;—the captain of that ship at the same time declaring, that in case of their being molested or attacked, he would fire on the town of York.

In this state of things, Mr. Braxton interposed his good offices, and his influence in warding off the impending blow. His efforts were crowned with success. He had adopted the moderate councils of Pendleton, Nicholas, and Randolph, and his address, suavity of manners, and connexion with Colonel Corbin, the king’s receiver-general, enabled him to settle the dispute without bloodshed. He, at first, endeavoured to persuade Henry to disband his men, using the same arguments that had succeeded with the volunteers of Caroline, whom he had seen a few days before with Mr. Pendleton; but finding him resolute in refusing to disband until the powder, or its value, should be returned, he proceeded to Williamsburg, where his father-in-law, Colonel Corbin, kept his office. With him, the negotiation succeeded. The receiver-general paid him, by a bill on Philadelphia, the whole amount of Henry’s demand, with which Mr. Braxton returned to Doncastle’s, where he delivered it to Henry, who gave his receipt for the money, and discharged his company.

But for this interposition, Virginia might have witnessed the blood of her sons flowing in the streets of Williamsburg, almost as soon as Massachusetts did that of her hardy militia, in the town of Lexington. The battle of the latter place had occurred on the nineteenth of April, and was produced by a cause similar to that which had called the Hanover volunteers to the field.

Immediately after the dissolution of the assembly, in May, 1774, new writs were issued, and another house of burgesses was chosen. Of that house Mr. Braxton was elected a member. It was prorogued from time to time, but at length, by the advice of his council, Lord Dunmore convened them on the first of June, 1775. This was the last, and perhaps the most important, house of burgesses that had ever assembled under the royal government. In that eventful session, Mr. Braxton appears to have been a very active and useful member. He served not only on three of the regular committees, but frequently on those special committees, to whom were referred the subjects of dispute between the governor and the legislature.

It was in the night, between the seventh and eighth of June, that the governor fled from his palace, and went on board the Fowey. The repeated and earnest solicitations of his council, and of the house of burgesses, could not prevail on him to return: he would not even come back for the purpose of giving his assent to a number of bills which had been passed, and to which he had no objection. The assembly very properly refused to attend him on board the Fowey. They continued their session till the fifteenth, when they adjourned to October, but never again met. The governor, in a short time, commenced a disgraceful and predatory war on the colony.

The government being thus dissolved by the abdication of the governor, all the powers thereof, as well legislative as executive, devolved necessarily on the general convention, which met at Richmond, on the seventeenth of July, 1775, and sat until the twenty-sixth of August. Of this body Mr. Braxton was a member. The great importance of this convention is apparent, not only from the fact that the ravages of war were now brought home to them by Dunmore, but from the nature of the ordinances passed by them.

The convention again met on the first of December, 1775, at Richmond, but immediately adjourned to Williamsburg. On the fifteenth of that month, they proceeded to elect a delegate to congress in the place of Peyton Randolph, who died in Philadelphia, on the twenty-second of October, whilst he was presiding over that

body. Mr. Braxton was appointed his successor, and he soon after took his seat in the great national council, where he affixed his name to the Declaration of Independence, as one of the delegates from Virginia.

On the twentieth of June, 1776, the convention resolved, that the delegates to be appointed to represent the colony in general congress, should consist of five in number, and that any three of them should be sufficient. In consequence of this resolution, the names of Mr. Harrison and Mr. Braxton were omitted, and the other five gentlemen were re-elected, from the eleventh of August following.

The first general assembly under the republican constitution, assembled in Williamsburg on the seventh of October, 1776. The members of the house of delegates, the most numerous branch of that assembly, were the same persons, with very few exceptions, who had composed the preceding convention. Mr. Braxton himself was one of the exceptions. When the convention met in May, 1776, William Aylett, and Richard S. Taylor, were the members from the county of King William. On the twenty-second of May, Mr. Aylett having accepted a military commission, his seat was declared to be vacated, and the president was directed to issue a warrant of election to supply the vacancy. Under that warrant, Mr. Braxton was elected by the people, and took his seat in the succeeding house of delegates. This body was the convention under a new name; for no election had been made by the people, of delegates, between the formation of the constitution and this meeting of the general assembly.

The first session of the legislature of Virginia was most interesting and important; and it is obvious, from an inspection of the journals, that Mr. Braxton was one of the most active members of the house. He was on the committee of religion, of which he was chairman; on the committee of propositions and grievances, of which, although he was not first named, he made most of the reports during the session, and consequently must have acted as chairman; and on the committee of trade. Besides these, he was a member of many other special committees of the greatest importance, and sometimes took the chair of the committee of the whole.

Mr. Braxton continued to receive, during the remainder of his life, and under every change of fortune, which finally became most afflictive and trying, strong and unerring proofs of the confidence of the people, and of the legislature of his state. He was a member of the house of delegates in the years 1777, 1779, 1780, 1781,

1783, and 1785. In the last year, his name stands recorded as one of the supporters of the act for establishing religious freedom; an act bearing the character of a constitutional provision; an act penned by Jefferson, advocated by Madison, and of more value to the religious and civil liberty of the people of Virginia, than any other law that has been passed from the adoption of their constitution to this day. In January, 1786, he was appointed a member of the privy council, or council of state, of the commonwealth, and on the twenty-third of that month, took his seat at the board: he continued a member of that body until the thirtieth of March, 1791. After that period he was elected by the people of Henrico, he having removed with his family to Richmond in 1786, a member of the house of delegates. In the winter session of 1793, he was again elected by the general assembly into the executive council, and took his seat at the board on the thirty-first of May, 1794. It appears that he was an assiduous and faithful member. The last time that he sat in council, was on the sixth of October, 1797, only four days before his death.

Although Mr. Braxton did not possess the resplendent abilities which shone so conspicuously in Henry, Pendleton, Jefferson, and Lee, he was a man of cultivated mind, and of considerable talents. He frequently engaged in debate, in the conventions and in the legislature. His oratory was probably like his manners—easy, flowing, smooth, and polished. A gentleman who became acquainted with Mr. Braxton after the termination of the war, observes that “he was an agreeable, though not a remarkably forcible, public speaker. His eloquence was easy and gentlemanly; his language good; and his manner agreeable.”

It has been already stated that Mr. Braxton derived from his ancestors a splendid fortune. At the commencement of the revolution, he was still an opulent man. He had always a propensity to engage in commerce, and in the early part of his life was concerned in merchandising, but not on a very extensive scale. Unhappily for himself and his family, as soon as the war commenced, he entered into commerce upon an enlarged plan. All his mercantile projects and adventures proved to be disastrous. In a few years, all his vessels were swept from the ocean: ship after ship was captured by the enemy; his debts could only be collected in the depreciated currency; his personal property was seized by the sheriff; his lands he had in part sold, when he first engaged in these speculations; the rest, with his slaves and furniture, he mortgaged, to satisfy various

creditors;—lawsuits accumulated on him. The court of chancery groaned under the weight of the suits in which he was a party—plaintiff or defendant. He became involved in pecuniary embarrassments, from which it was impossible to extricate him. His temper was sanguine, and hence he imposed on himself, and consequently on his friends. He was in possession of a considerable estate, which he struggled to preserve; and, by making calculations which could never be realised, induced his friends to pledge themselves for him too deeply, and failed in performing his engagements. But the fact that two of his own sons-in-law became sureties for him to a great extent, and shared the fate of the rest, fully proves that the injury done by him to his friends, who were induced to become responsible for him, was not done designedly, but proceeded from his sanguine temper, and from being himself deceived. Legitimate misfortune ought to command our respect—not call forth our censure.

Mr. Braxton finally sunk under his embarrassments, and died heart-broken: he experienced two paralytic attacks—the last of which removed him from this earthly scene. This event occurred at Richmond, on the tenth of October, 1797. His venerable widow, by the exertions of her friends, and the operation of a beneficent law, saved from the wreck of his estate enough to protect her declining years from absolute want. Thus this gentleman, whose early prospects were so bright and flattering, and who was so usefully engaged in his country's service for many years, became, in his latter days, by a succession of disastrous events, the sport of the most cruel fortune.

Mr. Braxton was a man of mild and philanthropic disposition. He was attached to domestic life, and never was so happy as when associated with his wife and children. As a husband, a father, a friend, and a neighbour, he was kind, affectionate, and obliging. His manners were entirely those of a polished gentleman, and in all his ordinary intercourse with society, he was amiable and exemplary.

WILLIAM HOOPER.

WILLIAM HOOPER, a delegate in congress from the state of North Carolina, was born at Boston, in the province of Massachusetts Bay, on the seventeenth of June, 1742. He displayed, at a very early age, the marks of considerable talent, but his constitution was extremely delicate from his birth. The first rudiments of knowledge he received entirely from his father, who devoted great attention to his early education, and retained him under his own immediate control until he was seven years old. He was then sent to a free grammar school in Boston, at that time under the care of John Lovell, a teacher of more than usual celebrity in his day; and after remaining with him several years, was removed at the age of fifteen to Harvard University. In this institution he remained three years; he devoted himself while there with extreme ardour, and in the vacations which he passed at home, it is said that under the instructions of his father, his application was even more excessive than whilst he was within the college walls. His inclinations seem to have led him rather to the study of elegant literature, an intimate knowledge of the great masters of antiquity, and the cultivation of a refined taste in composition and in public speaking, than to the pursuit of severer and more abstract science. He commenced bachelor of arts in the year 1760, and left college high in rank and reputation among his fellow students.

It was the early intention, as it had been the earnest wish of his father, that Mr. Hooper should select the church as his profession. His own inclinations, however, led him to prefer the bar, and that appears to have been a scene more appropriate for his talents and acquirements. To this change in his plans his father yielded; and, as soon as his collegiate course had terminated, he became a student of law under James Otis, one of the most distinguished members of the bar in the province.

At this period commenced the attempts of the English parliament



RES. OF W^m HOOPER, WILMINGTON, N.C.

against the rights and privileges of their fellow subjects in the American colonies. Mr. Otis took an early and decided stand, by his writings and by his open declarations, against the assumed power of the British government. He was excelled by none in zeal, and equalled by few in abilities. The high esteem and respect which Mr. Hooper entertained for his preceptor, naturally produced a coincidence in their political views; and there is little doubt that at this time those principles were implanted in his mind, which subsequent events matured, and the exigencies of his country afterwards called forth into practical usefulness.

When, at length, Mr. Hooper was called to the bar, he found that the profession in his native province was so well filled, in respect both to numbers and age, that there was scarcely any field for the exercise of youthful industry or talent. He determined, therefore, to try his fortunes in some other part of the country. In North Carolina he had many connexions of considerable wealth and influence, and this circumstance induced him to select that province as the theatre of his early labours.

After a year or two, however, spent in North Carolina, his father became exceedingly anxious that he should return to Boston. His health, naturally delicate, had suffered considerably from the severity with which he applied himself to the study and practice of his profession, as well as from the extreme labour which arose from its active prosecution.

Another circumstance may have contributed, in some degree, to the loss of health, from which Mr. Hooper suffered. The manners of the country were social to a degree bordering on conviviality, and little suited to one brought up under the more rigid discipline of the north. Visitors had already designated Wilmington as the region of kindness. Hospitality was practised to excess; and an immoderate attachment to convivial enjoyment, was a folly of the opulent which spread through the classes of society, until none were exempt. Many, indeed, of the oldest families of the state, now reduced to comparative poverty, have reason to rue the prodigal liberality of their ancestors.

In the fall of 1767, having determined to fix his residence permanently in North Carolina, he married Miss Anne Clark, of Wilmington, in that province; a young lady whose family was highly respectable, and whose brother, General Thomas Clark, was afterwards a well-known officer in the army of the United States. As Mr. Hooper had now become a citizen and a settled resident of

Wilmington, it may be well supposed that he soon held a prominent station among those who were distinguished for their information, talents, and influence.

His professional duties Mr. Hooper continued to pursue with unabated and successful zeal. He soon held a high rank among the advocates of the province; and as early as 1768, when he was only twenty-six years of age, was spoken of as one of the leading members of the bar.

In the year 1770, Mr. Hooper took an active part in behalf of the government, against the insurgents, who were known by the name of the Regulators. These insurgents, who had adopted this title, lest they should be looked upon merely as an ordinary mob, were, for the most part, composed of the lowest classes of the people, and inhabited the remote and thinly settled parts of the province. Here, without the means of instruction, without knowledge of the laws, gaining a precarious subsistence, wild, poor and miserable, they became the ready instruments of men who were plausible and cunning enough to point out to them their wretchedness, and to promise them redress. They told them of large sums of money which had been lavished in erecting a palace for the governor; of heavy taxes which they were made yearly to pay, without receiving from their expenditure the slightest benefit; of enormous fees which were extorted by all the subordinate officers of the government; until, from murmurs and complaints, they led them by degrees to riot and rebellion. The first symptoms of a turbulent spirit had appeared in the northern counties of the province as early as 1766; and the discontented and factious, at length proceeded to form themselves into regular associations, in which they bound themselves by oath, to support the cause in which they were engaged. Relying on their united strength, and gaining courage from impunity, they proceeded to inflict summary justice on the objects of their peculiar vengeance. The judges were driven from the bench, the attorneys were struck down while in the performance of their public duties, or dragged ignominiously through the streets; and the civil, even the military power were placed completely at defiance. Flushed with success, they soon forgot the original causes of complaint, and their leaders determined to turn to their own advantage the power they had obtained. At every meeting their demands and their violence increased. They gave full rein to every disordered passion; they drove their defenceless countrymen from their homes; and laid waste their property with fire and sword. In the midst of all this, their

leaders avowed their true intentions; they acknowledged that their object was no longer a redress of grievances, but that it was to seize the reins of government, and acquire wealth by the profitable offices in its gift. Under these circumstances, the most patriotic citizens deemed it their duty to support the government, forgetting for the time the wrongs which they had received from it. Among these was Mr. Hooper. He advised a resort at once to decisive measures, as the only means by which the country could be saved from anarchy. His advice was taken, the militia of the province were called out, and, after a severe battle, the rioters, who had assembled to the number of three thousand, were defeated, and tranquillity restored.

In the year 1773, Mr. Hooper, who had been a permanent inhabitant of the province scarcely six years, was chosen to represent the town of Wilmington, in which he resided, in the general assembly. In 1774, he was again sent to the same body, from the county of New Hanover. Here it soon became his duty to oppose one of those arbitrary acts of the British government, of which so many are found in the history of every state. In the year 1773, the laws regulating courts of justice in the province were about to expire, and it became necessary to revive their provisions by a new enactment. The British party, taking advantage of the occasion, introduced a clause in the new bill, the object of which was to screen from the attachment to which they had hitherto been liable, any property in North Carolina which belonged to persons who did not reside within the state. This bill received the approbation of the governor and senate, but when it was presented to the house of representatives, it met with strong and determined opposition. In the debate, which was long and obstinate, Mr. Hooper took the lead. Nor did he confine his efforts to the chamber in which the question was debated. He endeavoured to spread throughout the colony a full knowledge of the question, in which he justly deemed many of their dearest rights were deeply involved. He published a series of essays under the signature of Hampden, and thus prepared the people at large for these changes, which he now perceived to be inevitable.

Personally, to Mr. Hooper, nothing could be more injurious than the course which he had chosen. The measures which were pursued, chiefly by his energetic efforts, ended in leaving the province, for more than twelve months, without any court of law. He thus lost the means on which he depended for support—at an age too, and

under circumstances, when he could sustain with difficulty such a deprivation. In all his conduct, however, there appears to have been perfect disinterestedness.

He was now destined, however, to support his country in a more conspicuous scene. On the twenty-fifth of August, 1774, a general meeting of deputies of the inhabitants of the province was held at Newbern. They there passed a resolution approving the proposal of a general congress to be held at Philadelphia, and elected Mr. Hooper the first delegate to that assembly. They pledged themselves to support the acts of their delegates, and declared them to be binding in honour, upon every inhabitant of the province, who was not alien to his country's good, and an apostate to the liberties of America.

With these credentials, Mr. Hooper took his seat in congress on the twelfth of September, 1774, and was immediately placed on two important committees.

On the fifth of April, 1775, Mr. Hooper was again elected a delegate to serve in the second general congress, which met at Philadelphia in the month of May of that year. Soon after taking his seat, he was selected as the chairman of a committee, which was appointed to draught an address to the inhabitants of Jamaica. In this he asserted in strong language, the deliberate intention of the British government for many years past to destroy, in every part of the empire, the free constitution which it had so long enjoyed. That, with a dexterity artful and wicked, they had varied the modes of attack according to the different characters and circumstances of those whom they meant to reduce. In the East Indies, scarcely veiling their tyranny under the thinnest disguise—but wantonly sacrificing the lives of millions to gratify their avarice and power: in Britain, where the maxims at least of freedom were known, employing the secret arts of corruption: in America, too resolute for the employment of open force, and as yet too pure for corruption, forming plausible systems, making specious pretences, and trying by all the arts of sophistry to prove their right to enslave. These principles they afterwards attempted to enforce by the hand of power. The power and the cunning, however, of our adversaries, he adds, were alike unsuccessful. We refused to their parliaments an obedience which our judgments disapproved of: we refused to their armies a submission, which spirits unaccustomed to slavery could not brook. He then states the successive measures which had been tried in vain; the prayers which had been rejected; the re-

monstrances which had been disregarded; and the only remedy which had been left, the sacrifice of commerce for the preservation of liberty. He regrets the hard necessity which compelled the extension of this system to the West Indies; while he expresses the belief of congress, that no apology is necessary to the patriotic assembly of Jamaica, who know so well the value of liberty; who are so sensible of the extreme danger to which ours is exposed; and who must foresee that the destruction of ours will be followed by the destruction of their own. He concludes in the following bold and animating language, which shows how far, at that period, the delegates had determined to carry their resistance:—

“That our petitions have been treated with disdain, is now become the smallest part of our complaint: ministerial insolence is lost in ministerial barbarity. It has, by an exertion peculiarly ingenious, procured those very measures, which it laid us under the hard necessity of pursuing, to be stigmatized in parliament as rebellious: it has employed additional fleets and armies for the infamous purpose of compelling us to abandon them: it has plunged us in all the horrors and calamities of civil war: it has caused the treasure and blood of Britons (formerly shed and expended for far other ends) to be spilt and wasted in the execrable design of spreading slavery over British America: it will not, however, accomplish its aim: in the worst of contingencies, a choice will still be left, which it never can prevent us from making.”

On the twelfth June, Mr. Hooper brought in a resolution recommending the observance of the twentieth of July, as a day of public humiliation, fasting, and prayer.

During the remainder of the year 1775, Mr. Hooper's name appears frequently on the journals of congress, as a member of various committees, some involving measures of the deepest interest, and associated on them with Jefferson, Franklin, Adams, and other leading members of the house. So meagre, however, are the notices which these volumes afford, that we look in vain for any thing which can illustrate the measures they advised, and frequently have no record of the measures themselves.

He was associated with Dr. Franklin and Mr. Livingston, in January, 1776, on a committee to consider a proper method of paying a just tribute of gratitude to the memory of General Montgomery, who had lately fallen with so much glory beneath the walls of Quebec. They recommended the erection of a monument to his memory, to express the veneration of the United Colonies; and

to transmit to future ages, as examples truly worthy of imitation, his patriotism, conduct, boldness of enterprise, insuperable perseverance, and contempt of danger and death. Their recommendation was not disregarded. A monument was erected by congress, in the city of New York.

During a considerable part of the spring of 1776, Mr. Hooper was obliged to be absent from congress, by the public and private business which required his attention in North Carolina. He took a prominent part while there, in several important political measures. He distinguished himself greatly, as a speaker, in the conventions which were held at Hillsborough and Halifax; and the eloquent address to the inhabitants of the British empire, which emanated from the former, was the production, exclusively, of his pen.

In the summer he returned to his post, and on the fourth of July gave his vote, with his colleagues, for the Declaration of Independence. During the remainder of the year, he is found in active service—he was placed on the committee for regulating the post office, and on those of the treasury, secret correspondence, appeals from the admiralty courts, and the laws relative to captures—situations requiring extreme prudence, industry, and judgment.

On the twentieth December, 1776, Mr. Hooper was a third time elected a delegate to congress; but so great was the derangement of his private affairs, from the situation of the country, and the neglect to which they were exposed from his public occupations, that he found it impossible longer to absent himself from Carolina. On the fourth of February, 1777, he obtained leave of congress to return home, and shortly after resigned his seat entirely.

On his return to Carolina, Mr. Hooper exerted himself, with new zeal, in the support of the revolutionary cause. He was a prominent leader in all the great public measures which were demanded by the exigency of the times. On the most trying occasions, the loftiness and elasticity of his spirit were manifest and striking. Events which cast a gloom over the minds of many of his most patriotic coadjutors, had no effect in damping his ardour, or depressing his hopes. The disastrous issue of the battle of Germantown, which spread consternation among the friends of liberty, only gave fresh animation to his zeal. When the report of that event reached Wilmington, he was surrounded by a party of his friends, who were overwhelmed with dismay at the unfortunate intelligence. "We have been disappointed," he exclaimed with great animation, and starting from his seat, "we have been disappointed!—but no

matter; now that we have become the assailants, there can be no doubt of the issue."

About this time he removed with his family from the town of Wilmington, to a plantation which belonged to him, about eight miles distant, on Masonsborough sound. This place, however, he was soon after obliged to leave, on account of the aggressions of the enemy. It will be readily supposed that the very prominent part he had taken in the revolutionary measures of his own province, and afterwards in those of the colonies in general, had rendered him notorious, and peculiarly obnoxious to the partisans of the British government. Soon after his election to congress, and while absent on his public duties, the captain of a sloop of war, lying in Cape Fear river, had descended to the unworthy vengeance of firing upon a house belonging to him, which was situated on the shore of that river, about three miles from Wilmington. On his return from congress, these outrages assumed a character still more personal. A Major Craig, having under his command a considerable force, arrived in Cape Fear river, and compelled Mr. Hooper to seek his immediate safety, by taking refuge in the interior country. His family he removed to Wilmington, preferring to cast them on the humanity of an open enemy, rather than expose them to the perils of a predatory warfare. Uncertain of the issue of the measures which he had advocated, but yet pursuing them with unabated zeal, he was well aware of the danger to which he would be exposed by any reverse of fortune. He, therefore, made an arrangement for seeking a refuge in one of the French West India islands, should success finally attend the British arms; and it is said that a similar plan had been concerted by all the members of congress with the French minister. In November, 1781, Wilmington was evacuated by the enemy, and Mr. Hooper returned to it with his family. Shortly afterwards he removed to Hillsborough.

On the twenty-second September, 1786, he was appointed by congress, one of the judges of a federal court, formed, according to the articles of confederation, to determine a controversy which had arisen between the states of Massachusetts and New York, relative to a territory, which was claimed by each state as within its boundaries. The points involved in this controversy, were of extreme importance, and affected, to a large extent, the territorial rights of both states. In asserting these rights, each had already acted with considerable warmth; and the court had a question of extreme delicacy, as well as difficulty to settle. This was, however, obviated.

by an arrangement between the states. On the sixteenth of December commissioners, appointed by the respective parties, met at the city of Hartford in the state of Connecticut, and an agreement was entered into between them, by which their disputes were settled without appealing to the doubtful authority, which had been recognised as binding by the articles of confederation.

In the year 1787, the health of Mr. Hooper, whose constitution was always delicate, had become considerably impaired. He had continued, however, to hold a distinguished rank in the councils of the state, and to maintain a very high station at the bar. Speaking of him about this period, the late Judge Iredell remarked, that his latest exertions were in every respect equal to those of his earlier days. He now began, however, gradually to relax his public and professional exertions, and in a short time withdrew entirely from active life.

The few years that he lived after his retirement were spent in domestic enjoyment, for which he was better fitted by his temper, his sensibilities, and his health, than for the fatiguing anxieties of public life. He died at Hillsborough, in the month of October, 1790, at the early age of forty-eight years, leaving a widow, two sons, and a daughter.

As a literary man, his reputation was considerable. This is evinced by the selection which was always made of his pen in the public proceedings of importance which were agitated in his neighbourhood; especially as there were several men of no mean literary reputation residing in or near Wilmington.

As a lawyer, his success at the bar, especially when the circumstances of his emigration are recollected, was extremely flattering; and he is said to have merited it by the propriety of his professional conduct. In this he was always honourable and candid; he was free from envy; and ever anxious to aid the efforts of rising industry or genius.

As a politician, the best monument to his fame is in the facts and incidents of his public career. His penetration into character was remarkable; and is proved in the selection of his friends—from whom, it is said, he experienced in every instance that warm reciprocal attachment which was due to his judgment, his ardour, and his constancy. By these means, in moments of great political difficulty and danger, he united around him a force of talent and character, eminently serviceable in promoting and supporting his patriotic designs. These designs were uniformly stamped with the

manliness and the energy which marked his character. The champion of that illustrious band, which in North Carolina first opposed the encroachments of arbitrary power, all his actions were founded on principles as correct, as his motives were disinterested and pure. When he engaged in revolutionary measures, he was fully aware of the dangers to which he exposed his person and estate; yet in spite of untoward events, his enthusiasm never abated, his firmness never forsook him. In times the most disastrous he never desponded, but maintained the ground he had assumed with increased intrepidity

JOSEPH HEWES.

JOSEPH HEWES was born in the year 1730, at Kingston, New Jersey, and after enjoying the advantages of education common at that period, in the immediate neighbourhood of Princeton college, he went to Philadelphia to acquire a knowledge of commercial business.

When his term of apprenticeship in a counting-house was closed, he entered into the bustle and activity of trade; and availing himself of the fortunate situation of the colonies in respect to commerce, and the great opportunities then afforded by the British flag, particularly when used to protect American ships, he was soon one of the large number of thriving colonial merchants, whose very prosperity became a lure to Great Britain, and induced her to look to this country for a revenue.

Mr. Hewes did not remove to North Carolina until he was thirty years of age, previous to which time he had been residing at New York and Philadelphia, alternately, with occasional and frequent visits to his friends in New Jersey.

Having made choice of Edenton for his future home, he soon became distinguished in the community of that city for his successful career as a merchant, his liberal hospitalities, great probity and honour, and his agreeable social qualities.

Although nearly a stranger in the state, he was very shortly invited to take a seat in the colonial legislature of North Carolina,—an office to which he was repeatedly chosen, and which he always filled with advantage to the people of that colony, and with credit to himself.

When the British ministry had proceeded so far as to close the port of Boston,—thus evincing their fixed determination to proceed in their plan of taxing the colonies, and the committees of correspondence instituted first at Boston, and afterwards elsewhere, had proposed a meeting of deputies to a general congress to be held at



Christ Church, Raleigh

JOSEPH HEWES OF N.C.

1st in the delegation in 1779 while attending to his
Congressional duties - and Buried in Christ Church
by Bishop White

Philadelphia, Mr. Hewes was one of three citizens selected by North Carolina to represent her in that assembly.

On the fourth of September, in the year 1774, this first congress began their session; and on the fourteenth of the same month, Mr. Hewes arrived and took his seat.

The credentials of Mr. Hewes spoke a bolder language than was found in those of most of the delegates; for while the greater part of the colonies professed, in appointing the members, an earnest desire of reconciliation, and named the return of harmony as the principal object of their assembling, North Carolina resolved, by a general meeting of deputies of the inhabitants of the province, that the people approved of the proposal of a general congress to be held at Philadelphia, to deliberate on the state of British America, and, "to take such measures as they may deem prudent to effect the purpose of describing with certainty the rights of Americans, repairing the breach made in those rights, and for guarding them for the future from any such violations done under the sanction of public authority."

The delegates were accordingly invested by this meeting of deputies, with such powers as might "make any acts done by them, or consent given in behalf of this province, obligatory in honour upon every inhabitant thereof who is not an alien to his country's good, and an apostate to the liberties of America."

But, however diversified may have been the instructions and powers given to the colonial delegates chosen for this congress, certainly a separation from Great Britain was no part of the object then in view. Reconciliation and the restoration of harmony under the regal government was the aim and the desire of all, although the means of obtaining such a result were variously estimated, as involving more or less of forcible resistance.

Immediately after the assembling of congress two important committees had been appointed, to whom, in fact, nearly all the business of the congress was intrusted. The one was to "state the rights of the colonies in general, the several instances in which those rights are violated or infringed, and the means most proper to be pursued for obtaining a restoration of them." The other was to "examine and report the several statutes which affect the trade and manufacture of the colonies."

To the first of these committees Mr. Hewes was added very soon after he took his seat, and contributed his assistance to the preparation of their report.

The non-importation agreement was a very remarkable event in the annals of the revolution. It could only have been thought of by men having the most perfect confidence in the integrity and patriotism of the people, without whose universal and strict resolution to maintain it, such a measure would be palpably unavailing. A system of privation not enforced by any law, nor guarded with any penal sanctions, but resting entirely on the deep and general sense of wrongs inflicted, and of the necessity of a united effort to obtain redress—it evinced a steady resolution, a sober patriotism, and a generous sacrifice of selfish views to the common good, unequalled in the history of the world.

If any class of people more than the rest were entitled to particular praise for the patriotic ardour which induced them to join in this combination, it was unquestionably the mercantile part of the community, who sacrificed not only many of the comforts and enjoyments of life, but gave up also the very means of their subsistence, in relinquishing the importing trade, to which they had been accustomed to devote their capital and labour.

Mr. Hewes was a merchant, and a successful one. He had been for more than twenty years engaged in the sale of merchandize imported chiefly from England and the British dependencies; but he did not hesitate on this occasion to assist in the preparation of the plan, to vote for it, and to affix his own name to the compact.

Congress, after adopting an address to the people of Great Britain, an address to the king, and one to the people of Canada, all distinguished by uncommon elegance and force of diction, and having resolved, that it was expedient to meet again in May of the succeeding year, adjourned on the twenty-sixth of October, and Mr. Hewes returned to his home in North Carolina.

In the ensuing spring, a convention of that colony was held at Newbern, when Mr. Hewes was elected a member of the continental congress about to assemble. The general assembly approved of this choice, and at the same time resolved to adhere strictly to the non-importation agreement, and to use what influence they possessed to induce the same observance in every individual of the province.

Mr. Hewes attended, accordingly, at Philadelphia, when the new congress assembled in May, and continued with them until their adjournment, the last day of July.

The battle of Bunker's Hill, and the appointment of a commander-in-chief of the army, with a long list of major-generals and

brigadiers, in the succeeding month, placed the true nature of the contest more distinctly in the view of the people of America, and of the world. The society of Friends, of which Mr. Hewes' parents had been members, as well as himself in his youth, were now straining every nerve in an effort to prevent the revolutionary and republican, and warlike doctrines of the times from gaining a reception among the Quakers. The society was numerous, wealthy, and respectable, and its opposition was powerful and active. In the beginning of the year 1775, there had been a general convention of the "people called Quakers" residing in Pennsylvania and New Jersey, which had put forth a "Testimony," denouncing the congress and all its proceedings. This, however, had no effect on Mr. Hewes; or, if any, not that intended. He broke entirely from communion with the Quakers, and became not only a promoter of war, but a man of gaiety and worldly habits, even to the extent of being a frequent visitor of the ladies, and partaking, with glee and animation, of the pleasures of the dance, in which he is said, after escaping from the restraints of his Quaker education, to have taken much delight.

In the recess of congress, between July and September, he did not return to North Carolina, but made a visit to his friends in New Jersey, and was at hand when the next session was begun.

He was placed on the committee of claims, and that charged with the fitting out of the armed vessels ordered to be built or equipped for congress—the germ of the United States' navy; and thus he became in effect, and in the nature of his duties and responsibilities, the first secretary of the navy.

In the commencement of the next year, Mr. Hewes having attained great respect in congress by his excellent qualities and habits of close attention to business, was chosen a member of the *secret* committee, a post of extreme difficulty, and great responsibility, and requiring the closest application.

After this time, he was generally appointed on the most important committees, such as that to concert, with General Washington, a plan of operations for the ensuing campaign; the one intrusted with the difficult task of digesting a plan of confederation; another charged with the superintendence of the treasury; one raised for the purpose of inquiring into the causes of the miscarriages in Canada, and several others of less moment. Mr. Hewes was, during this period, a most active man of business; the disbursements of the naval committee were under his especial charge, and eight armed vessels were fitted out with the funds placed at his disposal. He was attentive also to

the condition of North Carolina, then direfully distracted with civil war, and menaced also by the common enemy; gunpowder and other munitions of war were sent by him at his own expense, but reimbursed afterwards by congress, to supply the exigencies of the republican troops in that part of the country.

He had the satisfaction of being present during all the debate on the question of declaring independence, and of voting in favour of the instant adoption of that imperishable manifesto, which has made the fourth of July a jubilee for this nation. In voting on this side, he acted in accordance with a resolution passed by the North Carolina convention, on the twenty-second of April preceding, empowering the delegates from that colony to "concur with those of the other colonies in declaring independency."

North Carolina had thus the merit of being the first one of the colonies which openly declared in favour of throwing off all connexion with Great Britain—a spirited and manly determination which entitles the leading men of that state to distinguished praise. Mr. Hewes, by his indefatigable exertions in the equipment of the naval armament, as well as by the fearless constancy with which he had advocated independence, had acquired, to a very great degree, the esteem and respect of the people whom he represented. In the beginning of the year 1777, he was again chosen a delegate, with such powers as to make whatever he and his colleagues might do in congress, obligatory on every inhabitant of the state.

Mr. Hewes, however, did not accept this appointment. He left to his colleagues the tour of duty in congress, and devoted himself to his private affairs, and to the benefit of the state at home during the greater part of that year, and the whole of the next, nor did he resume his seat until the month of July, 1779. He was at this time in very ill health, his constitution had been totally broken down, and he was able to give little more assistance to the public councils of the nation.

His end was rapidly approaching; the last vote given by him in congress was on the twenty-ninth of October, after which he was wholly confined to his chamber until the tenth of November, when he expired, in the fiftieth year of his age.

On the day of his death, congress being informed of the event, and of the intention of his friends to inter his remains on the following day, resolved that they would attend the funeral with a crape round the left arm, and continue in mourning for the space of one month: that a committee should be appointed to superintend the ceremony,

the Rev. Mr. White their chaplain, should officiate on the occasion, and that invitations should be sent to the general assembly and the president and supreme executive council of Pennsylvania, the minister plenipotentiary of France, and other persons of distinction.

The funeral ceremonies were accordingly conducted with all the pomp and display which the simple manners and sobriety of temper, then prevalent in Philadelphia, would admit. A large concourse of people, including all the distinguished personages, civil and military, witnessed the interment of his remains in the burial ground of Christ church, and the outward show of respect to his memory was not, in this instance, forced or insincere.

Mr. Hewes possessed a prepossessing figure and countenance, with great amenity of manners, and an unblemished reputation for probity and honour. He left a considerable fortune, but no children to inherit it

JOHN PENN.

JOHN PENN was born in the province of Virginia, and county of Caroline, on the seventeenth day of May, 1741, being the only child of Moses Penn, and Catharine, his wife, who was a daughter of John Taylor, of the same state and county. Mr. Penn grew up towards manhood in the family of his father, and, from a striking deficiency of parental attention, was neither sent to any of those seminaries in which a proper education could only be obtained, nor to acquire knowledge in the study of a profession. At the age of eighteen years, when his father died, he had merely received two or three years' instruction at a country school, where he rapidly acquired the little knowledge it could confer.

By the death of his father, in 1759, young Penn became his own guardian, and the sole manager of his patrimony, which was competent, but not large. At that period books were scarce, and the small collection of his father was without value; but young Penn, animated by an ardent desire to improve his understanding, availed himself of his vicinity to Edmond Pendleton, who was a relative of the family. The only library within the reach of young Penn was that which belonged to his accomplished relative, and he was freely and liberally gratified with the use of it. Profiting with unremitting industry, by this solitary advantage, he soon conceived the arduous idea of adopting the profession of the law. This project in a youth whose early days had been absolutely destitute of instruction, whose subsequent education had been so contracted, and whose existing advantages were restricted to the use of a library, with no other guide to his studies than his natural good sense, portrayed the character of a mind at once formed for triumph, and destined to elevate its possessor.

"There be some sports are painful; but their labour
Delight in them sets off;"

and the *laborum dulce lenimen* of Mr. Penn, in the progress of his studies, was the anticipation of future fame, and the prospect of



RES. OF JOHN PENN
Grandville N.C. now destroyed

celebrity which was opened to his view through the long vista of the law.

When he attained the age of twenty-one years, he enjoyed the reward of his unceasing application in his favourite pursuit, by obtaining a license to become a practitioner of law. Possessing great genius and industry, he soon became eminent for his eloquence and skill, and suddenly began to reap the fruits of his professional labours and merit. To great fluency he added promptitude of mind; and, in appropriate cases, never failed to employ the pathetic with equal force and propriety. He has been frequently known to draw tears from a court and jury, while his own were suffused by the sympathy of his sensations. This is not the parade of panegyric, but a fact to which distinguished living witnesses can bear testimony.

His nearest relatives having removed to the province of North Carolina, Mr. Penn followed their example in the year 1774; and translated himself to new events, and to the study of new laws, with so much ease and celerity, that he immediately became as professionally eminent in that province as he had been in Virginia.

It could not be expected that the comprehensive mind of Mr. Penn was inattentive to the progress of the political storm, which, after the most gloomy portents, now threatened to burst over the country. He was not, however, elected a delegate to the first congress; but, on the resignation of Mr. Casewell, he was appointed, on the eighth of September, 1775, to supply the vacancy, and took his seat, as the representative of North Carolina, on the twelfth of the following October. In the subsequent year he inscribed his name upon a record of wrongs and rights, and a monument of political wisdom and personal devotion, which secured to it a never-dying reputation. He was successively re-elected to congress in the years 1777, 1778, and 1779, and performed the duties of his station with promptitude and fidelity. Present, with few intermissions during this long period, at the post of duty, he was extensively engaged in the current business of the house, and zealously performed his portion of service, as a member of many important and secondary committees.

In the year 1780, a heavy gloom overspread the face of American affairs, from the total ruin and dispersion of the army under General Gates, at the battle of Camden. At length, Lord Cornwallis, on the eighth of September, began his march from Camden, proceeding through the settlement of Wrahhaw to Charlottetown, in the western part of North Carolina. When General Gates was defeated, and the enemy advanced into her territory, North Carolina,

stunned by the blow, and almost defenceless, turned her eyes towards Mr. Penn, and invested him with powers almost dictatorial. Authorized to seize or impress supplies, to re-animate resistance, and surrounded by discouraged friends, hopeless well-wishers, or inveterate foes, he had a task to perform, not less arduous than delicate, and not less distressing than indispensable. But nature had formed him for the effort: indefatigable, cheerful, extremely conciliating in his manners, firm in his political principles, and invigorated by an inextinguishable ardour, he passed through the crisis with honour to himself, and satisfaction to the state; having rendered services essential for the prosecution of the war where its pressure was most severe, and contributing materially towards the establishment of that independence, to the declaration of which he had affixed his signature.

The incursion of Lord Cornwallis was short and disastrous. The defeat of Major Ferguson, who had advanced by another route into North Carolina, at King's Mountain—the fall of that officer, and the destruction, captivity, or dispersion of his whole corps, arrested the career of the British, and compelled Lord Cornwallis, on the fourteenth of October, to retreat into South Carolina.

The return of peace found Mr. Penn in the station of a private citizen, possessed of sufficient property, derived from his industry and patrimony: the latter, however, had been diminished, instead of increased, by the offices which he had filled. In that situation, blessed with a contented mind, and employed in discharging his private duties with innate benevolence, he passed the remainder of his life, which terminated in the month of September, 1788. He died in the forty-seventh year of his age. On the twenty-eighth of July, 1763, he was united to Susannah Lyme, and had three children, two of whom died unmarried.



RES. OF EDW^d RUTLEDGE,
by J. C. B. 1840.

EDWARD RUTLEDGE.

EDWARD RUTLEDGE was born in the city of Charleston, in the month of November, 1749. Of his early years, little more is remembered than the vivacity of his manners, the docility of his disposition, and his filial affection and obedience. Being destined to the profession of the law, and the numerous family of his mother pointing out the propriety of his making the earliest exertions for self-advancement, he was at an early age placed with his elder brother, who was at that period, or was rapidly becoming, the most distinguished pleader at the Charleston bar. To complete his legal education, he was sent to England in the year 1769, and was entered a student at the Temple. His attendance upon the courts of law, and the houses of parliament, was unremitting, and he now had frequent opportunities of witnessing the oratorical exertions of Dunning, Wedderburne, Thurlow, Mansfield, Cambden, and Chatham, (the brilliant characters of the day,) by which his taste was materially improved, and his mind enlarged. His successful representation of the peculiar manner of some of those eminent men, after a lapse of twenty years, proves that he was an attentive observer.

After the requisite number of terms, he was called to the bar before his departure from England, and having returned home, commenced the practice of law in 1773. He could not, at the age of twenty-three years, be a profound jurist, but his mind was naturally sound and logical; possessing considerable fluency of speech, quickness of apprehension, an exuberant fancy, an expressive countenance, an harmonious voice, and altogether what might be termed a graceful delivery. He never failed to dazzle where he did not convince, and, whatever were the merits of the case, those of the orator were seldom denied.

He was thus advancing with rapidity to professional eminence, when he was summoned by his countrymen to exert his talents on a more splendid theatre, to relinquish his private concerns, and

take his seat in the great council of the nation, which assembled at Philadelphia, in 1774.

Among those, who, from a just perception of their own abilities, were induced to proffer their services in the foremost ranks of patriotism, few were better qualified to maintain the rights, and sustain the character of the country, than Edward Rutledge. To the ardour of youth he added no inconsiderable degree of prudence; he was neither rash nor diffident, and although his enemies (for he was too zealous not to have enemies) charged him with vanity and self-sufficiency, he appears always to have been a candid listener to the reason and experience of others; and if it be considered a high honour, as it undoubtedly was, that so young a man was associated with Middleton, Lynch, John Rutledge, and Gadsden, the circumstance of his being coeval on the poll will deservedly raise him in our estimation. The merchants, who were at this time a numerous and influential portion of the community, deprecated a total interdiction of trade with Great Britain; and, uniting with others in the colony, made strong opposition to Mr. Rutledge, who was more forward than his colleagues in announcing, with characteristic candour, his opinion in favour of that expedient. He tested his judgment in preferring permanent benefit to temporary relief, and contributed in a material degree to excite in others that tone of feeling which bore us triumphantly through the difficulties which were increasing with an appalling rapidity.

It is difficult to ascertain what particular line of conduct he pursued in the congress of 1774, as one of the first resolutions of that enlightened body, without which the nation would not have been saved, was to debate with closed doors; and this measure was accompanied by an agreement of secrecy among its members. He appears, however, from one of his letters to the late Judge Bee, a friend upon whose discretion the utmost reliance could be placed, that he was not attached to the most violent party. In this letter, dated October, 1774, he observes, "I long to tell you what we have done, but am prevented, from silence having been imposed upon us all, by consent, the first week in congress. This, however, I may say, that the province will not be able to account for our conduct until we explain it, though it is justifiable upon the strictest principles of honour and policy. Don't be alarmed; we have done no mischief, though I am sure, if, Mr. — had had his way, we should. But you may thank your stars you sent prudent men; and I trust that the youngest is not the least so. The gentleman to whom you

have alluded is, if possible, worse than ever ; more violent, more wrong-headed. But I do not mean to censure others ; sufficient for me if I pursue a right line, and meet with the approbation of my countrymen."

Mr. Rutledge soon after received the approbation for which he expressed a solicitude, being formally thanked, with the other delegates, by the provincial congress, and again appointed a member of the next continental congress.

Mr. Rutledge is known to have taken an active part in the transactions of the ensuing year, and particularly in the discussions which preceded the Declaration of Independence. The resolution of congress, recommending the several provinces to erect permanent governments instead of the temporary institutions which then existed, was considered by that body, and by all America, as decisive of that event, and we find Mr. Rutledge associated with John Adams and Richard Henry Lee to draw a suitable preamble to it. He is said, together with many others, to have proposed some alterations to the original report of this celebrated declaration, but we are neither acquainted with their nature nor success. Full credit must certainly be given to Mr. Jefferson for the structure and wording of the draught, although, in the enumeration of grievances, many members probably contributed their mite, and helped to swell the catalogue. Immediately after the adoption of this bold measure, misfortunes thickened so fast upon us, in the defeat of our army on Long Island, the derangement of our finances, and the consequent disaffection of large portions of the community, that many began to think the act was premature, if not inexpedient and rash. But congress soon showed that they had not acted from a short-lived ebullition of spirit, but from a steady, deep-rooted courage, which adversity might prove, but could not shake. All their proceedings were marked by a dignity and firmness worthy of the cause in which they were engaged, and of every praise which a grateful posterity can bestow.

The British, deeming it a favourable crisis to renew their negotiations for peace, or rather their intrigues to create divisions amongst us, a committee of congress was appointed, at the request of Lord Howe, to confer with him on the proposals he should make ; and Dr. Franklin, John Adams, and Mr. Rutledge, were deputed for that purpose. The conference, as had been anticipated, was productive of no beneficial result. We may safely presume, from the characters of the commissioners, that our rights and grievances were ably

and eloquently portrayed; such, indeed, we are informed, was the fact, and that the junior member took a very active part in the discussion; but we possess no particulars farther than the report to congress, already before the public. Mr. Rutledge, however, who was always a free talker upon revolutionary topics, was accustomed to relate an anecdote of Dr. Franklin, very characteristic of that extraordinary man, and which does not appear to have been elsewhere noticed.

Upon taking leave of Lord Howe, his lordship politely sent the commissioners to New York in his own barge, and just as they were approaching the shore, the doctor began to chink some gold and silver coin in his breeches pocket, of which, upon their arrival at the wharf, he very formally offered a handful to the sailors who had rowed the boat. The commanding officer not permitting them to accept the money, the doctor very deliberately replaced it in his pocket: when questioned by his associates upon so unexpected a procedure, he observed, "As these people are under the impression that we have not a farthing of hard money in the country, I thought I would convince them of their mistake: I knew, at the same time, that I risked nothing by an offer which their regulations and discipline would not permit them to accept." With this light anecdote we must conclude, with regret, all that we have to relate respecting Mr. Rutledge whilst in congress; and, as Americans, we must be satisfied to forego the gratification, derivable from a particular knowledge of the conduct and speeches of the distinguished patriots of that assembly, under the conviction which every reflecting mind must feel, that a public exhibition of their proceedings would have produced parties among the people, and perhaps such incurable jealousies and divisions, as would have proved fatal to the prosperity of the rising republic.

Mr. Rutledge was again appointed to congress in the year 1779, but sickness compelled him to return home before he had reached the then seat of the general government. Indeed, from the time of his leaving congress in 1777, the affairs of his own state were becoming highly critical. The population of South Carolina not being in proportion to the spirit of its citizens, the British supposed that its conquest could with certainty be effected; and commencing their operations with great vigour, had apparently accomplished their undertaking, by the surrender of Charleston in the year 1780. Previous to this event, the enemy had made several incursions, but were compelled to retreat. In 1779, they landed at Port-Royal

Island, with a party of regular troops under Major Beard; and in order to dislodge them, it was advisable to make a large draught from the Charleston militia. Mr. Rutledge, who was always active in civil or military services, at that time commanded a company in the ancient battalion of artillery. His friend, Thomas Heyward, also a signer of the Declaration of Independence, commanded another; and it was highly affecting and animating to see them both marching to the attack. The result is well known: the enemy, composed of well disciplined troops, and equal in number—certain of victory, owing to the different qualities of the respective forces, and the advantages of position which they possessed—and possessing assurance enough to propose a surrender at discretion—were, nevertheless, defeated and driven from the island. If, from the small number of forces engaged, this was not a battle to become very famous in the world, the individual danger was not thereby diminished; nor ought the glory to be less, than when larger armies are in conflict, and more important consequences ensue: at any rate, our troops acquired all the reputation which it was possible to do, in their situation.

In the month of May, 1780, Charleston surrendered. Whilst it was closely invested, Mr. Rutledge was ordered by General Lincoln, the commander of the American forces, to endeavour to elude the vigilance of the enemy, and hasten the march of the troops which were advancing to the relief of the garrison. A similar attempt had been previously executed with success, by his friend General Thomas Pinckney; but he, less fortunate, was taken prisoner. He was soon afterwards sent to St. Augustine, in company with others, who were termed dangerous rebels, where he was detained near twelve months before he was exchanged. With the other captives, he was landed at Philadelphia, in the neighbourhood of which he resided with his very particular friends, General C. C. Pinckney, and General Thomas Pinckney, at that time prisoners, and their respective families, about six months; a house having been loaned to them near Germantown, by the late respectable and benevolent Dr. Logan. As soon as circumstances permitted, he proceeded to the south, where the American armies, under Greene, Sumpter, and Marion, were beginning to make a successful struggle. Before the evacuation of Charleston, the country was so far in possession of the Americans as to enable the citizens of Carolina to restore civil government; and Mr. Rutledge, in 1782, was one of the representatives who were convened at the village of Jacksonborough. The arrangements of

this assembly respecting confiscations and banishments, although they would have been in the usual order of things during civil wars in other parts of the world, were soon severely reprobated by the liberality and humanity of the citizens of South Carolina, and were finally repealed, with few exceptions, and with some loss to the state; so that if there was error, for which there was surely great excitement, if not justification, it was speedily rectified. Mr. Rutledge had seen and suffered so much distress, that he could not but feel highly indignant at the disaffection and treachery of those who were supposed, in a great degree, to have contributed to produce it; and departing, no doubt, from the sound principles of civil liberty for which he had been so zealous an advocate, he assented to a bill of pains and penalties. In the application, however, of an act so inconsistent with the correct notions on this subject which now prevail, he was governed by his characteristic benevolence and goodness of heart; he strenuously advocated the exemption of all those, the peculiarity of whose circumstances rendered their conduct in any degree excusable, or who had any plausible pretence for not joining the standard of their country. Soon after the adjournment of this enraged assembly, the city of Charleston was evacuated by the British, (December, 1782,) and Mr. Rutledge returned with joy and triumph to the place of his nativity, which contained his dearest friends and relations. Amongst these, not the least interesting, was his venerable mother. She had endured some persecution from the British, not for her good will to the cause of America, for that could not be otherwise, but for her supposed power and capacity to aid that cause. The commandant of Charleston had ordered her to be removed from her country residence, and confined to the limits of the town, upon the suggestion that much was to be apprehended from a woman like Mrs. Rutledge. He did not distinctly state the nature of his apprehensions, but they were a flattering testimonial that the talents, for which we have already given her credit, were peculiarly great.

Mr. Rutledge was now actively and successfully engaged in the practice of his profession, and services in the state legislature, and so continued for seventeen years: although, during this long period, he led a very laborious and useful life, taking every day deeper root in the affections of the community, yet so little variety was there in that life, so little marked was it by striking incidents, or uncommon achievements, that the particular detail of it might not be very interesting. The daily exercises of liberality, unremitted benevo-

lence, and disinterested exertions in behalf of the widow and the orphan, and the helpless of every description, and an almost self-devotedness to relatives and friends, must necessarily fix an indelible impression in the hearts of those who surrounded him, and who felt the influence and benefit of his virtues; but they furnish no trait to dazzle or attract the world at large.

When hostilities commenced between France and England, as it was impossible that American feelings should be perfectly neutral, he may be classed with those who were enthusiastic in their wishes for the success of the former; but he never forgot what was due to his country; and the indignation of no man was more strongly excited by the conduct of Mr. Genêt, and of the French Directory. On the other hand, he considered our treaty with Great Britain of 1796, as making too great a sacrifice to that nation. Perhaps the opposition he made to it tended in some degree to alienate him from the venerable statesman who was the framer of it, and with whom he had been in habits of intimacy, when associated in the congress of 1774. His merits he always took pleasure in descanting upon; and he never ceased to respect him, although he thought he had erred as a politician. In matters of this nature, as to what will be the precise operation of a treaty, or any other act of policy, the most clear-sighted see but a little distance; and it must be left to time or chance to distribute the palm of wisdom. It may with truth be affirmed, that as Mr. Rutledge was certainly governed by no party, or factious, or interested motives, if the evils which had been apprehended from the measure in question have not been realised, no person could rejoice more sincerely than he did at the failure of his anticipations, which were, at the same time, those of a large portion, probably a majority, of the American people.

He never sought offices, nor appeared desirous of public honours. Those which the state could confer, he always might readily have obtained. When the battalion of artillery, in which he always served, was constituted a regiment, he was immediately elected its colonel: and when his friend, General C. C. Pinckney, left the senate, he supplied the vacancy.

In the year 1798 he retired from the profession of the law, and was elected governor of the state; but he lived to complete only half the term for which he had been appointed. His constitution, never strong, was materially shattered by hereditary gout; and his increasing debility was apparent to all who saw him. He, nevertheless, continued to perform the duties of his station with his wonted

activity and cheerfulness; but, at length, during the sitting of the legislature at Columbia, his indisposition was such as to make him anxious to return to Charleston, where he had left his family. The state constitution, however, requiring that the governor should for that period remain at the seat of government, he felt some scruples at violating the constitution, (that is, the mere letter of it,) without the sanction of the popular branches of the legislature; and, contrary to the advice of a friend, communicated to them his intention of returning home, under the expectation that they would readily express their approbation. But, as his adviser had anticipated, (for the clamour of party was beginning to rage with fury,) a sort of cavilling debate arose as to the power of the house to absolve from a constitutional injunction; upon which, the motion to approve of the governor's departure, although it would have been carried if continued, was indignantly withdrawn. The governor was somewhat mortified at this conduct, and, determined not to furnish the least handle for censure, he remained until the time of adjournment. On his way to Charleston, he suffered inconveniences from excessive rains and cold, which he was ill qualified to endure, and soon after he arrived at his house, was unable to rise from his bed. He bore his last illness with great fortitude, and expired on the twenty-third day of January, 1800.

Military and other funeral honours, of course, followed his decease; and it was not a less necessary consequence of that event, that so amiable, so benevolent, and so good a man, should be deeply lamented. It was, in truth, a great shock to the community; for although others might have had equal claims to respect and esteem, no one was so much and so generally beloved.

That Edward Rutledge possessed eminent virtues, both as a public and private character, though they have been very imperfectly exhibited to view in this short account of his life, is admitted by all who had any knowledge of him. Our acquaintance with mankind would lead us to expect that these were attended by the usual spirit of detraction, more especially as he had none of those negative qualities which furnish the strongest shield against malignity. We do not recollect, however, that any defects of consequence, for he possessed no vices, were ever supposed to tarnish his fair fame.

There is one portion of his character which might readily be misconceived, and ought therefore to be explained. When it is stated that he possessed the most affable and winning manners, procuring him a popularity which survived even the ordeal of jarring politics,

we are apt to figure to ourselves a man of smiles and bows, inclining to be all things to all men; but this would be forming a very erroneous opinion of Mr. Rutledge: for so far from having obsequious or courtier-like manners, his deportment, although perfectly free from austerity, was composed, serious, and dignified; his heart was so well expressed in his fine countenance, that the dullest physiognomist could scarcely mistake the delineation of its feelings, and a stranger in distress might have singled him from a crowd, as the man most likely to bestow sympathy and relief. The truth is, his prepossessing manners, though somewhat refined by education and society, having their foundation in an amiable temper and a benevolent disposition, cost him no trouble to acquire or assume, and were very distinguishable from those superficial graces, (if graces they can be called,) which bear the stamp of frivolity and insincerity, and are rather injurious than beneficial to their possessor; and as to his being of that description of politicians who preserve their popularity by observing the course of events and joining the majority, who pretend to lead when they are led, and affect to take the helm when they are only floating down the stream, he was too ardent and impetuous to make such cold and selfish calculations; he was, on the contrary, always forward in expressing his opinions, sometimes hasty, perhaps, in forming them, but whatever they were, he strove hard to procure their adoption, to direct the measures which his judgment approved; and as it ought to be with every statesman conscious of the correctness of his views and principles, he was readier to give than to receive the impulse.

At the bar, his entire conduct was a model for imitation. Despising all low and illiberal practice, he was by no means backward in showing his indignation whenever it was displayed: to the junior members, he was ever prompt to extend his friendship and patronage; to the judges, he was polite and respectful; and to witnesses, he was considerate and candid, never attempting to puzzle or embarrass them, except there were strong signs of falsehood or corruption.

With all these qualities, he was lively and facetious, fond of bantering his associates, but never indulging in those coarse jests which encourage indecent familiarities, or that sarcastic wit which provokes mirth at the expense of friendship.

As an orator, Mr. Rutledge was certainly very eminent, but not without faults. He was always smooth, fluent, animated, and very prompt at reply; his voice was clear and loud, his action easy and graceful, and his countenance in the highest degree prepossessing.

To these qualities must be added that of character. Cicero says. "an orator must be a good man;" as the effect must be very different, where he is heard with suspicion and distrust—or with that favour and confidence which a good character seldom fails to inspire. Wherever indignation was to be roused, or animosity allayed, or the sense of honour, of patriotism, or public spirit awakened, he was a most triumphant speaker; but where objects of pity or distress presented themselves, and the tender passions were to be excited, he was superior to any of his contemporaries.

The person of Mr. Rutledge was above the middle size, and inclining to corpulency; his complexion was florid and fair, and if not what would be termed a handsome man, the expression of his countenance was universally admired. He lost the greater part of his hair early in life, the remainder being perfectly white, and curling on his neck; so that had it not been for the goodness of his teeth, and the smoothness of his visage, and the fine flow of his spirits, he would have been considered a much older man than he was. His dress was always old-fashioned; and, although apparently indifferent about it, he certainly would never have suffered a tailor to clothe him in the usual apparel of a man of his years. There was not the slightest affectation in this; but a man's consciousness of his age is proportioned to the activity and variety of his past life, and the scenes through which he has passed; hence his own appeared to himself to be longer than it was, according to the usual estimate. Being latterly afflicted with gout, his gait was infirm, and he walked with a cane: before he was debilitated by this disease, his step was steady and quick, his arms usually folded across his breast, or his hands interlocked behind. His general demeanor was serene and composed, and when in a sitting posture he usually rested his chin upon his hand, as if in serious contemplation. Colonel Trumbull's small picture of the Declaration of Independence contains a good likeness of him; in the large portrait it is said not to be exactly preserved.

Shortly after the arrival of Mr. Rutledge from Europe, he married Harriet, daughter of Henry Middleton, one of his colleagues in the congress of 1774—1775, and who succeeded Peyton Randolph, as president of that body. By this lady he left a son, Major Henry M. Rutledge of Tennessee, and a daughter now resident at Charleston. Upon the death of his first wife, he married Mary, now living daughter of Thomas Shubrick, and widow of Nicholas Eveleigh, formerly comptroller of the treasury of the United States, by the appointment of General Washington



RES OF THOMAS HAYWARD



THOMAS HEYWARD.

MR. THOMAS HEYWARD, the eldest son of Colonel Daniel Heyward, of St. Luke's parish, in the province of South Carolina, was born in the year of our Lord 1746. His father, one of the wealthiest planters in the province, had acquired the greater part of his estate by his sagacity and industry. Though the maker of his own fortune, he did not think that money was every thing; and determined to bestow on his son a more valuable inheritance than the land and slaves which were to descend to him. His wisdom found its reward. By a good education, his son was enabled to render important services to his country, and prepared for that station in the congress of the United States, which has connected the name of Heyward with one of the most memorable acts, not only in the history of the United States, but in that of human nature.

At an early age, young Heyward was placed at the best school in the province. The ancient languages were then diligently taught in the schools; and he acquired such a knowledge of Latin as enabled him to read the Roman historians and poets, and to imbibe their lessons of liberty. From school he was removed to the office of Mr. Parsons, a lawyer celebrated for his learning and dexterity.

After the usual term of study, he was, according to the course of education then prevalent, sent to England to be entered in one of the Inns of Court. It does not appear that he placed himself in a lawyer's office, to while away the period between youth and manhood, before he took possession of his estate. His expectations from his father might have furnished him with a plea for indolence or indifference, or only called forth a decent attention to his studies; but he valued his fortune only as it enabled him to strengthen and enlarge his mind, and to qualify himself for public pursuits. In the Temple, he therefore pursued his studies with the zeal which characterised their commencement, and emulated the diligence of those, who could look only to a profession for advancement.

After completing his studies in the Middle Temple, Mr. Heyward

set out upon his travels. Several years were spent in visiting different countries on the continent of Europe. Nor was his tour unprofitable to him. He endeavoured to travel with the spirit of a patriot, that, undazzled by the magnificence of Europe, he might preserve his heart true to America. With such feelings, he could not but compare the general industry, the moderate fortunes, the absence of extreme poverty, the equality of ranks, the simple style of living, and the domestic felicity in America, with the bloated wealth, the aristocratic pride, the pauperism, the luxury, and the licentiousness, which glared upon him from every direction, in Europe. He was not insensible of her advancement in science, letters, and arts, and the conveniences and elegances of life; but he loved to turn his eyes towards those contrasts which would strengthen his attachment to the place of his birth, and the home of his affections.

Untainted by gay life, and contented with the moderation of his own country, he returned from Europe. He brought back an understanding improved by books and men. Society and pleasure had not alienated him from his profession; and he therefore entered immediately upon the labours of the law. In 1773, he married Miss Mathews, a lady of an amiable temper, and a beautiful person. In her society, his affectionate dispositions were indulged and cherished. In the midst of his domestic enjoyments and professional advancement, the differences between England and the colonies, which had only been allowed to repose since 1764, were renewed. Mr. Heyward was no stranger to the principles which alone could reconcile them; nor would his zealous temper permit him to speculate merely on the questions in dispute. He could not be ignorant of the weight which his fortune, his education, and his profession gave him in society; he, therefore, early associated himself with the venerable leaders of the revolution.

Uniting a fearless with an amiable temper, he soon became a favourite with the people. He was elected to the first revolutionary assembly in the province, and shortly after chosen a member of the council of safety, an office bestowed only on the determined and the prudent. Their powers were discretionary, and their duties grave and weighty. To collect intelligence, to awe the disaffected, to direct the public mind, and to see that the youthful commonwealth suffered no injury, were services which demanded no small portion of wisdom and courage, ability and address.

Without such a machine, the revolution must have moved heavily along. His fidelity to this trust recommended him to higher

honours. When, in 1775, on the expectation of an invasion, John Rutledge and Christopher Gadsden were recalled from congress to be employed at home in the defence of the state, Mr. Heyward was selected to supply one of the vacancies. His modesty led him to hesitate in accepting the appointment, and he only yielded to the wishes of a respectable delegation of citizens. He arrived at Philadelphia in time to attend in his place upon the discussion of American Independence; and found himself in the midst of that assembly of sages, whose sagacity and intrepidity had reminded a Chatham of the fathers of ancient Rome. Here he was daily enlightened and elevated by the mellow wisdom of Franklin, the indignant eloquence of Adams, and the aspiring genius of Jefferson.

To unite in that memorable instrument, in which the fruitless language of remonstrance gave way to an animated enumeration of our wrongs, and a calm but firm assertion of our rights, was one of the first duties that he was called upon to discharge.

In 1778, Mr. Heyward was elected a judge of the criminal and civil courts of the new government. It was not a place to flatter the ambition of a member of the congress of 1776, and Mr. Heyward's fortune placed him above pecuniary considerations. A sense of public duty alone induced him to take a judicial office, when it was yet undecided whether the judge might not be punished as a traitor. He was soon called to a painful exercise of his authority. While the British army lay in the neighbourhood of Charleston, he presided at the trial and condemnation of some persons charged with a treasonable correspondence, who were afterwards executed in sight of the enemy's lines. This rendered him obnoxious to the enemy, and in the capitulation of Charleston, it was thought that he was intended to be excluded from its benefits, by the article which excepted those, who, under the mock forms of justice, had been instrumental in putting to death his majesty's good and loyal subjects.

Though appointed a judge, he still held a commission in the militia; and, in the affair at Beaufort, commanded a company of the Charleston Ancient Battalion of Artillery.

General Moultrie now commanded, at Beaufort, a mixed force of regulars and militia; and of the latter, the most efficient member was the Charleston Artillery, a disciplined battalion animated by the recollection of past services and fame. Their courage and skill could not have been placed under a safer direction; for their two captains, Rutledge and Heyward, if they had not a military reputa-

tion to sustain, were now to support, with their blood, that cause which had so often animated the eloquence of the one, and inspired the self-devotion of the other. The presence of two of the most distinguished patriots in the state, members of that celebrated congress which had given independence to their country, also imparted interest and dignity to the scene. To the artillery was ascribed the success of the day; nor was Mr. Heyward without a trophy of victory, in the wound which he received from a musket ball. In the disastrous attack upon Savannah, this corps had their share of suffering and loss. When Charleston was besieged, he had attained to the command of the battalion, whose steadiness and skill during the tedious operations of the enemy, rivalled that of the veterans of the line. With the fall of the town, he became a prisoner of war. If fear or despondency could have overcome him, he would have made his peace with the conquerors, and secured both his person and estate. But, though aware that if he allowed the day of mercy to pass away, he was one of those to whom no future clemency would be extended, he, with the bravest and best men in the country, adhered to the good old cause, and thought it even criminal to despair of the fortunes of the republic. This band of patriots were an odious and a dangerous spectacle. They reproached the fallen virtues of those who had sought the protection of the enemies of their country. Their heroism might yet arouse the sleeping patriotism of the timid and the desponding; and under their courage the discontented might one day rally. While any refused the oath of allegiance, the conquest of the province was incomplete. The lieutenant-governor of the state, Christopher Gadsden, and all those who still considered themselves Americans, were, therefore, apprehended. From among these, the leaders of the revolution were selected to be transported to St. Augustine, while the younger patriots were confined in the prison-ships in the harbour of Charleston. Judge Heyward was among the former. His spirit was not to be broken neither by exile nor threats. Even his cheerfulness was superior to misfortune, and to the music of "God save the king," he adapted the words of "God save the states," a song now popular on festive occasions, that, under a loyal tune, the prisoners might give play to the feelings of patriotism. During his imprisonment, a party of the enemy from St. Augustine visited his plantation, and seized and carried away all his slaves. No interposition on the part of his friends was permitted, and the civil authority sanctioned this military plunder. The hatred to his name had nearly involved his brothers in a similar

calamity; but their minority was at length permitted to except them from the devastation.

Though some of Mr. Heyward's slaves were afterwards reclaimed, one hundred and thirty of the number remained among the spoils of the enemy, and were probably transferred from the rice fields of Carolina to the sugar estates of Jamaica.

The prisoners at St. Augustine were at length released; but his ill fortune had not yet deserted him. On his passage to Philadelphia he fell overboard, and only escaped drowning by holding to the rudder of the ship until he was taken. It was in Philadelphia that the exiles from Carolina were first assured that their state was reconquered, and independence secured.

But, as if infelicity was the lot of man, it was in the midst of the exultations of the patriot, that he was visited with the severest domestic affliction. In him, public and private virtue were happily blended, and the patriot and the husband were sustained by the same sensibility. In his grief for the loss of the companion of his youth, and the mother of his children, every other feeling was now swallowed up. From this state of mind he slowly recovered, and gradually found tranquillity in the discharge of his public duties.

Upon his return to Carolina, he resumed the labours of the bench, and continued to act as judge until 1798. He was, in 1790, appointed a member of the convention for forming a state constitution. In this dignified body, concentrating the experience, the ability, and the virtue of the state, he contributed his part to secure what he had before assisted to advance, the liberty and independence of his country. He lived to see the states united under the federal constitution, and revered that instrument as the palladium of national power, prosperity, and glory. From public labours and cares, he withdrew himself in 1791, and found in retirement and the bosom of his family, the calmness of a virtuous old age. By a marriage in 1786, with Miss E. Savage, he had secured a companion for his retirement, by whose superior understanding the cares of life were divided, and its vacuities supplied.

Three children were the fruits of this marriage; and it was in the midst of a family, whose tenderness had smoothed the path of his downward years, that he died at his country seat, in March, 1809.

Though of a grave temper, which was indicated by his countenance, he was not insensible to wit and pleasantry. In early life he was fond of company, from which he seems only to have been estranged by the afflictions and the cares which thickened upon him.

His judgment was sound, and his disposition ardent. These are attested by the offices he filled, and the part that he bore in the revolution. His friendships, and the general esteem of his fellow citizens, furnish proofs of the goodness of his heart. In his public duties he was honest, firm, and intelligent. He conscientiously and fearlessly embarked in the revolution. He was neither blind to its dangers, nor indifferent to its morality. His life, estate, and reputation, he cast upon the waters of strife. A successful revolution could confer no more on him than on the humblest of his countrymen. Though the prize was common, his stake was among the largest. Of such a character, a stranger to public virtue can scarcely form a conception; and yet America produced thousands in whom the promotion of the general weal was the predominating motive—who ventured upon the most desperate hazards under the influence of a patriotism which stifled every selfish consideration; nobly grasping at an assured freedom, and a national independence for themselves and their posterity.

The lesson they teach is the only preservative of freedom. It can neither be achieved nor maintained without patriotism. By revolving in our minds the actions of the patriots of the revolution, we cherish the principles of liberty. Their lives are public property, and should be embalmed for their posterity as the pabulum of PUBLIC VIRTUE.



THO^S LYNCH JUN^R

THOMAS LYNCH.

THOMAS LYNCH, jr. was born at his father's plantation on the banks of the North Santee river, Prince George's parish, South Carolina, on the fifth of August, 1749. His mother's maiden name was Elizabeth H. Alston, whose loss it was his misfortune to deplore in early childhood. He was placed, when of a sufficient age to leave his father's roof, at the Indigo Society School, Georgetown, S. C. Young Lynch had unfolded such infallible tokens of a capacity for letters, combined with great docility of disposition, and an ardent and ingenious spirit, that his judicious parents determined to send him to Europe, before he had even completed his thirteenth year. On his arrival in England, he was placed at Eton school, where he remained long enough to acquire the elements of classical learning, and to qualify himself for admission as a gentleman commoner at the University of Cambridge. At this institution he took his degrees; but we regret to add, that of this interesting portion of his life, we have been unable to gather any incidents whatsoever, excepting the fact of his having enjoyed, in an eminent degree, the consideration of his contemporaries, which was firmly fixed by his virtues, acquisitions, and insatiable thirst for knowledge.

The accounts which his father received of his progress must have been highly flattering; for, in the pride and fondness of his parental affection, he sketched out schemes of usefulness and distinction for his son, somewhat bordering on an extravagant philanthropy. Conscious that it would be in his power to bequeath him a fortune that would take away all necessity for exertion, he was desirous of supplying the place of this effective stimulus, by more generous principles of action. He desired him to enter his name at the Temple, and to prosecute a regular course of legal studies; not for the single purpose of perfecting his education, or for the subsequent acquirement of that political momentum, which in this country seems almost invariably to be derived from success at the bar; but that he might dedicate his learning and talents, regardless of all

views of profit, to those cases of unprotected truth and justice; which occasionally arise at the forum.

In accordance with the views of his father, young Lynch commenced his terms at the Temple. The black letter of the law had never many charms for him. Although he had made himself master of the philosophy of jurisprudence, and was admirably versed in the principles of the British constitution, yet his high relish for the more fascinating portions of literature rendered the technical branches of the science exceedingly irksome to him; few indeed can be reconciled to them, except under the gripe of a hard and invincible necessity.

Mr. Lynch's father ultimately yielded to his wishes, and he returned to South Carolina about the year 1772, after an absence of eight or nine years. On his arrival, one of the first steps which Mr. Lynch accomplished, was to induce his father to relinquish his wishes in reference to his practising the law. This acquiescence in the inclinations of his son, was probably influenced by a strong desire to introduce him at once in public life. To promote this object, he presented him with one of his most valuable plantations on the North Santee river, that he might really, as well as ostensibly, possess a great stake in the interests of the country. It was about this period that Thomas Lynch, jr. was united in marriage to Miss Elizabeth Shubrick. In the possession of this amiable and beautiful woman, one of the early and romantic attachments of his childhood was gratified.

On the raising of the first South Carolina regiment of provincial regulars, in 1775, he was appointed to the command of a company. This commission he accepted somewhat in opposition to the wishes of his father, who was then in the congress of the United States, and who urged him to proceed to Philadelphia, that he might obtain for him an appointment in the army, of a higher rank. But Mr. Lynch, with a modesty as judicious as it was remarkable, resisted his father's partial designs, by observing, that "his present commission was fully equal to his experience;" no doubt reflecting, that in the military profession, a man's subsequent enthusiasm and exertions are vastly more important than the precise point at which he commences his career.

Early in July, 1775, Mr. Lynch left Charleston in company with the late General Charles Cotesworth Pinckney, then a captain in the first regiment. They commenced the recruiting service in North Carolina, and unfurled the American colours in the counties of Newbern, Dauphin, and Dobbs, where they speedily met with the greatest success, raising, in a few weeks, their respective quotas. The

refinements of their European education did not disqualify them for the rough insinuation and peculiar address necessary for this service.

After completing his company, Mr. Lynch commenced his march for Charleston, during which he was attacked with the violent bilious fever of the country. His health had, previous to this attack, been seriously impaired by the exposures incident to the service in which he had been engaged: hence they were sufficient to destroy his constitution, and to make him, for the remnant of his life, habitually and constantly an invalid.

A sky, which had been unobscured by a single cloud, began now to exhibit the most gloomy portents. Towards the close of the year 1775, Mr. Lynch joined his regiment, feeble and emaciated, where he soon after received the melancholy tidings of the extreme illness of his father at Philadelphia. This intelligence was accompanied by the resignation of the seat of this inflexible patriot in congress, which he could conscientiously hold no longer than he felt himself able to discharge its duties. Although a paralytic affection was the disease by which his life was menaced, yet those who had the best opportunities of observing the progress and character of his infirmities, attributed them, in no small degree, to the anxieties for his country, which unceasingly oppressed him.

Urged by the dictates of filial piety, Mr. Lynch, notwithstanding the delicacy of his own health, lost not a moment in making the necessary arrangements to join his father, that he might exercise, in his dying moments, that love and veneration which he had always borne towards him.

He, however, encountered serious difficulties in obtaining a furlough for this purpose. His application was refused by his commanding officer, Colonel Gadsden, who, with the spirit of the Roman, would have devoted his own son to the cause of his country, and who never permitted the private relations of life to interfere, even remotely, with those of a public nature. This controversy was, however, speedily terminated by the election of Mr. Lynch to the congress then convened at Philadelphia, as the successor of his father, by the unanimous vote of the provincial assembly. This compliment to a young man of twenty-seven, under all the circumstances which accompanied it, portrayed, in the most vivid colours, the high and general consideration entertained for his talents and worth.

On his arrival at Philadelphia, he took his seat in the congress of 1776. As the proceedings of this body were conducted with closed doors, we are unable, at this time, to establish the precise

agency of the different members, in the various events of the day. But we are justified, by the contemporary testimony of his associates, in affirming, that although Mr. Lynch's health was too feeble to allow his participating with unremitting activity in the public concerns, he nevertheless succeeded in fixing a just impression of his exalted character, superior intellect, and persuasive eloquence.

Whether the fatigues of his journey had aggravated his malady, or the change of climate had been unpropitious, it is impossible to determine, but he had not been long in congress before his health began to decline with the most alarming rapidity. He was, however, enabled to give his full sanction to those measures which were tending, with irresistible efficacy, to the Declaration of Independence. One of the last acts of his political life was to affix his signature to this important manifesto.

During the early part of the services of Mr. Lynch in congress, his father remained in Philadelphia. He had experienced a temporary alleviation from his bodily sufferings; and his physicians flattered themselves with the hope that he might live to reach Carolina. On this journey, which they recommended, his valuable life was terminated by a second paralytic attack at Annapolis, in the autumn of 1776, where he expired in the arms of his son.

It was not long after this distressing event, that Mr. Lynch returned home, but in a situation which did not promise a long continuance of his own life. Such were the infirmities under which he laboured, that he was frequently deprived, during several weeks, of the use of his limbs, by severe and continued rheumatic fevers, the consequences of his privations and exposures in the service of his country.

Being thus compelled to abandon all his public employments, he could not avoid realising the painful truth, that the cause of his country, whether destined to be fortunate or otherwise, would, in all probability, be unaided by his future exertions. This belief was forced upon him at the very period when the anxieties of his patriotism were most sensibly excited by those events which were daily conferring fresh interest on that contest, in the fate of which he had been willing to stake both his life and fortune.

His friends, witnessing his rapid decline with the most painful emotions, embraced, with avidity, any alternative, promising even an imperfect hope of the ultimate preservation of his life. A change of climate was regarded as the only resource, as his case seemed beyond the reach of medical skill. Notwithstanding the difficulties of a voyage to Europe, rendered perilous by the hazards of capture

in which event the fate of Mr. Lynch would have been at least the tower, if not the scaffold, he was prevailed upon to embark for St. Eustatia, where, it was believed, he might find a neutral vessel bound for the south of France. He accordingly sailed about the close of the year 1779, in a ship commanded by Captain Morgan, accompanied by his amiable lady, whose conjugal devotion increased with the declining health of her husband.

In this voyage, they unfortunately terminated their mortal career. The circumstances of their fate are veiled in impenetrable obscurity. As it has been said, on a similar occasion, "we know that they are dead, and that is all we know." That the ship foundered at sea, there can be little doubt. Independently of her having been injudiciously lengthened, previous to the voyage, there was a Frenchman among the passengers, who, for some reason unknown, after the ship had been a few days at sea, was induced to remove on board a vessel which sailed in company. The account he afforded was, that the night after he left the ship, in which Mr. Lynch and his family had embarked, a violent tempest arose, in which every soul on board must have perished. A considerable time elapsed before the suspense of Mr. Lynch's relatives was removed by this distressing intelligence. Many rumours were from time to time in circulation, calculated to keep their hopes and fears in a state of excitement. Every ship that approached the coast, they watched with painful anxiety, in the vain hope of its being the harbinger of glad tidings—but such a harbinger never came.

The views which we have occasionally presented of Mr. Lynch's character, in the course of this narrative, will supersede the necessity of our indulging in a detailed analysis of its features. If vigorous health and a long life had not been denied him, he would have reached and merited the highest honours of his county; at least, he enjoyed the necessary qualifications for their attainment, in an eminent degree. He not only possessed that strict moral worth which is the only sure foundation of success in life, but exalted it by maxims and principles of the most refined delicacy and honour. His self-denial, evinced in a commendable control over his own passions, was as remarkable as the tenderness and ardour of his affection for his friends. Perhaps the most severe test that can be applied to the character of any man, is to place him in the situation of a slaveholder. If, with the possession of unlimited and irresponsible dominion, he is yet undebauched by the excesses of authority,—if, with the unchecked power to do wrong, he uniformly endeavours to do

right, and blends the exercise of the most benignant feelings of our nature with the prerogatives of an absolute ruler, we may be satisfied that such an individual is a just man, in the most perfect acceptance of the term. To the numerous slaves, which the opulence of his father had bequeathed him, Mr. Lynch was not only a judicious master, but a kind friend, abundantly fulfilling all the duties of one of the most difficult relations in human society.

His domestic occupations were all of the most amiable cast. Habitually under the control of a fund of good sense, he yet retained enough of the passions to give a warmth and glow to his affections. No man was ever loved more ardently by his friends, or more richly deserved it. Tender to those under his protection, urbane in his intercourse with the world, embellishing the society in which he lived by the vivacity and variety of his colloquial powers, he was universally beloved and admired.

He bore his severe illness with the resignation of a Christian, and with that philosophy in which protracted suffering is apt to instruct ~~as~~ unfortunate victims.

In the various public assemblies in which he served, he seldom spoke, and never but on the most important occasions. When he did rise, he commanded profound attention, and gave the most unequivocal tokens of the adaptation of his powers to the higher excellences of oratory.

Although this narrative is enriched by few facts of a permanent or general interest, yet enough has been said to justify the confidence reposed in his abilities and integrity by his fellow citizens. With unshaken firmness, he promoted the success of the cause which he had adopted, until the premature prostration of his bodily powers compelled him, with sorrowful hesitation, to retire from the path of his public duties, and circumscribed that range of usefulness which, from the vigour of his mind, appeared to be almost unlimited. The catastrophe which terminated his life, is one of those afflicting dispensations which carries with it a peculiar sorrow. Death, in its mildest form, is shrouded in terror;—but to be plunged, perhaps without one moment of preparation, into eternity, is an event peculiarly awful, and calculated to arouse the deepest emotions in the hearts of the survivors.

Such were the services, the abilities, the virtues, and the fate, of Mr. Lynch. His public character is perpetuated in the proudest record of his country; and his virtues are now bequeathed as a pure and instructive model to posterity.



RES. OF ARTHUR MIDDLETON

— 13 miles from Charlestown —

ARTHUR MIDDLETON.

ARTHUR MIDDLETON, the subject of the present sketch, was born in the year 1743, at Middleton Place, the seat of his father, Henry Middleton, situated on the banks of the Ashley. His mother's maiden name was Williams, being the only child of a wealthy and respectable planter of South Carolina. He was the eldest of a family of two sons and five daughters. As was customary among the southern planters who possessed any fortune, he was sent to England, at an early age, to receive the instruction which was so well afforded by the public schools of that country. Whilst the connexion subsisted between those who had emigrated to America, and those of the same family who continued in the parent country, the children of the former were committed to the affectionate attentions of the latter; and this confidential intercourse was, as may well be conceived, the means best calculated to strengthen the bonds of family attachment. Young Arthur received all the attention which could be desired from his English relations. He was placed, at the age of twelve years, at the well known school of Hackney, in the vicinity of London; whence, at the age of fourteen, he was transferred to that of Westminster.

Having passed regularly through Westminster school, he was entered between the age of eighteen and nineteen years, in one of the colleges of the University of Cambridge. During his residence at that institution, although liberally supplied with money, he did not enter into the dissipation so generally indulged in by the students; but being by nature of a reserved and rather taciturn habit, he more readily escaped the contagion of example, and devoted those hours to meditation and study, which his less thoughtful companions sacrificed to trivial amusements and vicious indulgences. In his conduct during his four years probation, (for such they are for youths, transferred from the rigid regulations of the English schools to the comparative ease of a college life,) he evinced the steady adherence to good principles and taste, for which he was ever after-

wards distinguished. He left Cambridge in his twenty-second year, with the degree of bachelor of arts, and with the reputation of a profound scholar and a moral man.

As Mr. Middleton was not designed for any of the learned professions, he had leisure to improve himself by travel; and his father's liberality afforded him the means. After visiting many parts of England, he passed over to the continent, and expended nearly two years in a tour, principally through the southern parts of Europe.

During this tour, he passed several months at Rome, in the most agreeable manner; cultivating his taste by the study of the fine arts, at their ancient and justly renowned seat. This is a department in which excellence is to be attained by those, alone, who are endowed by nature with exquisite perceptions; the exclusion, therefore, of many who have even received the benefit of a liberal education, must enhance the value of the gift to those, who, like Mr. Middleton, possess the means of improving it. To the charms of literature, and poetry especially, he was ever exquisitely alive; in music and painting he had attained no ordinary proficiency, in practice, as well as theory: and in technicalities of sculpture and architecture, their sister arts, he was well versed.

Mr. Middleton, after an extensive tour through Europe, returned to South Carolina, and soon after was united in marriage to Miss Izard, daughter of Walter Izard, Esq.

He soon determined to gratify Mrs. Middleton with a visit to Europe, and with this view embarked with her about a year after their marriage. After residing some time in England, they proceeded to the continent, and visited, in their tour, some of the principal cities of France and Spain. In the year 1773, Mr. Middleton returned home, and took up his residence at the family seat, a beautiful spot, on the banks of the Ashley, which his father, on this occasion, relinquished to him. In the succeeding year commenced that struggle between Great Britain and her North American colonies, which developed the energies of the American people, put to the test their patriotism, their talents, and their courage, and, in some measure, assigned to individuals their relative rank in public estimation. Arthur Middleton and his father, who already stood high in the public estimation, did not hesitate to stand forth in defence of the rights of American citizens.

It appears, from the documents which have been preserved relative to the progress of the revolution in South Carolina, that the

operations of the opposition were carried on by means of various committees, appointed by the provincial congress, in the face of the royal government, under the different denominations of secret committees, special committees, councils of safety, &c., which were composed of gentlemen, in whose discretion and firmness the provincial assembly reposed unlimited confidence, and whose powers were only defined by the injunction, *cavere nequid Republica detrimenti caparet*. By a reference to the record of these revolutionary proceedings, we find, that on the seventeenth of April, 1775, Arthur Middleton was appointed one of a secret committee, consisting of five persons, who were authorised to take measures for placing the colony in a posture of defence. These were the persons who determined on having recourse to force; and, under their direction, the public magazine of arms and ammunition in the custody of the royal store-keeper, was taken possession of, and the contents removed, and soon after appropriated to the defence of the country.

On the fourteenth of June, the provincial congress of South Carolina chose by ballot thirteen persons, who were denominated a council of safety, to watch over the public interests, and to take such measures as they should judge most proper to promote the same in that eventful crisis. Of this number was Arthur Middleton; and it is well ascertained, that to his activity may be attributed much of what was effected by that body. Under its direction a military force was organised, adequate to the temporary defence of the province; the commissions of the officers were certified by the joint signatures of its members, and other acts appertaining to sovereign authority were exercised by them.

On the eleventh of February, 1776, the provincial congress of South Carolina chose a committee of eleven members to prepare and report a constitution, or "form of government which should best produce the happiness of the people, and should most effectually secure peace and good order in the colony, during the continuance of the dispute with Great Britain." Mr. Middleton was a member of this committee; and an instrument was framed and adopted, which, however, was only temporary.

Shortly after this, he was elected, by the assembly, one of the representatives of South Carolina in the congress of the United States, then convened at Philadelphia. In this capacity he inscribed his name on the Declaration of Independence. The particular share that he took in promoting the adoption of this important measure, is not, perhaps, known at this distance of time; but, that it

had his most strenuous support, is beyond a doubt. He had, at that period, contracted a close intimacy with Mr. Hancock, the president of congress; and, having their families with them, they had a joint establishment. This domestic arrangement accorded perfectly with the taste of both parties; for, being men of a liberal and hospitable disposition, their houses was the resort of a great deal of company. The members from the two extremities of the union were constantly assembled at their table. This social intercourse must unquestionably have been attended with beneficial effects on the subjects immediately under discussion, as well as in assuaging a jealousy which might have existed between men, whose habits of life, and opinions on many points, were not a little dissimilar. It suffices to say, that the friendship of these two warm patriots continued uninterrupted during the remainder of their lives.

Mr. Middleton continued at Philadelphia, attending to the duties of his station, until the close of the year 1777; and although he was not a very active debater, no measure received the support of the South Carolina delegation without his concurrence—the gentlemen composing it having the highest opinion of his judgment and abilities. As the vote in congress was, on important questions, taken by states, the subject was, of course, discussed among the members of the several delegations, and something like unanimity generally obtained.

At the beginning of 1778 we find him, in South Carolina, receiving the greatest proof which his fellow citizens could bestow, of their confidence in his talents and fidelity. The assembly of South Carolina, which acted under the authority of the constitution of 1776, conceiving that it had the power so to do, enacted a new constitution, differing in many essential points from the first, and presented it in May, 1778, to John Rutledge, who was governor, for his approbation. That gentleman, by virtue of the power with which he was invested, refused his assent to it, and gave his reasons at large for this use of his negative. These reasons were founded principally upon what he conceived to be the illegality, as well as the futility, of the procedure. As, however, there was a large majority in favour of the adoption, he closed his address with resigning his authority into their hands, that he might not embarrass their measures. The assembly having accepted his resignation, were next called upon to fill the vacant chair. Affairs, at this time, had assumed a gloomy aspect in America, and where offices of any responsibility were in question, intrigue and private interest were of little avail

towards advancing the pretensions of any man. A secret ballot was to decide on the merits of the individual who merited the highest confidence of the people, as regarded integrity, firmness, and capacity; qualifications so essential to the arduous task of guiding their destinies through the unequal and perilous contest in which they were engaged. On counting the votes, a considerable majority pronounced Mr. Middleton to be that individual. So different was the mode of transacting business of this nature at that day, from what it has since been;—so little progress had been made in the arts of caucusing, recommending, addressing, &c., which now form the basis of most elections;—that the gentleman thus elected was not aware of the honour intended him; and when the result of the ballot was announced, he declined an acceptance of the office. The inducements to a contrary course were great;—the situation was conspicuous; and the power to be given to the executive by the new constitution, was extensive. Mr. Middleton could neither be diffident of his own talents, nor fearful of the responsibility of the post: he had embarked every thing in the revolution, and his subsequent conduct evinced, that he intended to brave all its results. He was not devoid of ambition, but his was the ambition of a lofty mind;—that of rendering valuable services, when perfectly compatible with his conscientious feelings. In this case he was restrained by those feelings. He coincided in opinion with the late incumbent; and declared, that if he assumed the executive station, he could not conscientiously give his assent to the new constitution. Full faith was given to his assurances; and his non-acceptance, instead of detracting from the esteem of his fellow citizens, was viewed in its proper light, and served to endear him still more to them. Mr. Rawlins Lowndes, who was at that time a popular character, not having the same objections to the constitution, was elected in his stead, and sanctioned the new form of government on the nineteenth March, 1779.

We are not informed whether Mr. Middleton served in any public capacity during the year following his refusal of the executive office. In April, 1779, the British having assembled a force at Savannah, under General Prevost, with the evident intention of making an attempt on Charleston, the governor immediately proceeded, with his wonted energy, to take measures for the defence of the state, and ordered out troops from different parts of the country to the rendezvous at Orangeburgh, where he took the command in person. General Prevost having made a forced march,

with a view to surprise Charleston, which was then without a garrison, and with very insufficient works, the governor threw himself, with his militia, into the place. Mr. Middleton attended him as one of his family, and was personally exposed in a partial attack which was made in front of the works. On this occasion, he displayed his characteristic intrepidity. General Prevost, not deeming it prudent to attempt the reduction of Charleston by an assault, and having an army in full march in his rear, retired to a strong position on James' Island, and by crossing over from one island to another, effected his retreat with an immense booty, consisting chiefly of slaves, who joined his standard, and lent their aid in the indiscriminate plunder of whatever could be transported. Mr. Middleton's country seat, together with his plantations in the vicinity, were exposed to the depredations of the army, being immediately on the great Southern road; but he took no measures to save his property, and did not even go near it. He merely sent Mrs. Middleton a direction to remove, with the family, to the house of a friend, a day's journey to the north of Charleston. He, of course, suffered immensely: the buildings at Middleton Place were spared, but every thing was rifled. Of a valuable collection of paintings, some of which were too large for removal, many were wantonly mutilated. The officers and soldiers of the British army in North America, exhibited much of the spirit ascribed by a celebrated English traveller to the Russians, as exemplified in the occupation of the Crimea: whatever could not be converted to lucrative purposes, was demolished or defaced.

On the investment of Charleston, in the following year, by the force under Sir Henry Clinton and Vice-Admiral Arbuthnot, Mr. Middleton was found amongst its defenders. Although not holding a military command, and having the option of avoiding personal exposure, or partaking it with many gentlemen whom duty detained within the lines, he preferred subjecting himself to the chances of war. In consequence of this determination he became a prisoner, together with a very large portion of the most active and zealous men, who, until that moment, had swayed the politics of South Carolina. The privilege of going at large on parole, was extended to him, and he enjoyed it until the month of November, 1780, when he was suddenly arrested, with some others, who were esteemed dangerous characters in what was then regarded as a conquered province. They were then sent by sea to St. Augustine, in East Florida, where Mr. Middleton and his fellow prisoners, although not

placed in close confinement, were subjected to mortifying and humiliating restraints, by the petty tyranny of the officer commanding that garrison. In the month of July, 1781, the American prisoners at St. Augustine were included in a general exchange, and immediately sent in cartels, to Philadelphia. Shortly after his arrival there, Governor Rutledge, acting in pursuance of the general powers delegated to him by the legislature of South Carolina, appointed Mr. Middleton a representative in congress.

In the autumn of 1781, the capture of Lord Cornwallis was effected. This officer, after the surrender of Charleston, had been left by Sir Henry Clinton in command of the British force occupying the state of South Carolina, and invested with all the powers of a conqueror. In the exercise of these unlimited powers, with a view to produce complete submission, and to break the spirit of the inhabitants, recourse was had to measures not only of a rigorous, but of a sanguinary nature. Mr. Middleton had witnessed the distresses occasioned by the oppressive measures of Lord Cornwallis, and his soul had revolted at the horrors which he beheld around him. Actuated by these feelings, after Lord Cornwallis's surrender, he submitted to congress a motion to the following effect: "that Lord Cornwallis should be regarded in the light of a barbarian, who had violated all the rules of modern warfare, and had been guilty of innumerable cases of wanton cruelty and oppression; and further, that he, the said Lord Cornwallis, should not be comprehended in any exchange of prisoners which should take place between the British government and that of the United States." This resolution, from considerations of a peculiar nature, was not adopted, but the motive which suggested it was duly appreciated.

The general assembly, convened at Jacksonborough in January, 1782, after a lapse of two years, elected Mr. Middleton one of the delegates of the state to congress. He continued in the discharge of his duty, in that capacity, until the month of November, of the same year, when he obtained leave to return to South Carolina, to visit his family, from which he had been long separated, under the most trying circumstances.

The momentous contest having been terminated soon after this event, by the news that the preliminaries of peace had been signed, Mr. Middleton declined any further attendance at the seat of the general government, and hastened with pleasure to that retirement which was always dear to him. Though eminent by his services and sacrifices during the hour of peril, and accustomed to move in

a larger sphere of usefulness, he cheerfully engaged in the duties assigned him within a more limited circle, and passed a life of philosophical ease, at his country seat, in the vicinity of Charleston. There he resided in elegance and refinement, surrounded by an interesting family, indulging in the luxury of an excellent library, and visited by numerous friends, who partook, without restraint, of his liberal hospitality. But unhappily, with a natural partiality for the place of his nativity, he thought too favourably of the climate of that part of the state in which it was situated. He took little care to avoid exposure in the autumnal season, and in the month of November, 1786, he was seized with an intermittent fever. Its paroxysms returned periodically for some weeks, during which time he refused to adopt the usual remedies, observing, with philosophical indifference, that "it was best to leave nature to itself." When he consented to use them, the application came too late; he expired on the first of January, 1787.

In forming our conception of the natural disposition and character of Mr. Middleton, we are guided by the opinion of those who are well qualified to decide, from early and intimate acquaintance. It is believed, that if he had lived in the days of Hampden, he would have participated thoroughly in the feelings of that patriot; and that he would have ranked with those worthies who hold the first grade in the esteem of all who revere and cherish rational freedom. In common with men of generous minds, his temper was violent, and it is evident that he had it not under perfect control. It broke forth at times in marks of strong indignation at any exhibition of meanness, or attempt at imposition. But violence of temper is the reproach which both weak and envious minds are apt to apply to men of genius, who see their object at a distance, and are impatient to arrive at it by hasty strides. The temporising spirits, and those who were "infirm of purpose," complained that Mr. Middleton hurried them on too rapidly; and that he always advocated what are termed desperate measures. It is known that he was opposed to the surrender of Charleston, and was anxious that the place should stand an assault. General Lincoln called a council of war, to deliberate on the expediency of a capitulation. The weather being warm, the windows of the room in which it assembled were left open, and some citizens, who had an intimation of the object in view, had placed themselves near, anxious to know what would be the result. General Charles Cotesworth Pinckney, who then commanded the first regiment of the line, spoke with great vehemence

against coming to terms with the enemy. His voice was strong, and what he said was distinctly heard by those without. After delivering his opinion, on going out, he found at the door, Mr. Arthur Middleton, who seized his hand with great eagerness, and told him that he thanked him in the name of his countrymen, for having opposed the disgrace of a surrender, and entreated him to exert himself to the last moment in preventing it.

In the public bodies in which he served, he is said to have shown no anxiety to make a display of oratory, nor to take the lead in debate. His speeches were short, and he usually delivered them under the influence of strong feelings. As they were evidently drawn from him by a deep interest in the subject, they rarely failed to make a corresponding impression.

No one was less solicitous about trifles, or more in earnest in matters of importance. The little value he set on the possession of wealth, was well known and was not a little at variance with his tastes, which were of an expensive cast. An anecdote is retained in the family, illustrative of this trait in his character, and which may also serve to evince the coolness with which he could act, on occasions calculated to excite in other men marks of heat and precipitation. The house he inhabited on the Ashley, although large and commodious, did not altogether correspond with the appearance of two more modern wings, erected at some little distance from it. Mr. Middleton sometimes talked of taking it down, and building on another plan, but was dissuaded by his friends, on the ground of its being too large a superstructure to sacrifice to any plan of improvement. When he was one day walking over his grounds, the roof of his house took fire, and a servant came running to him, with a message from Mrs. Middleton, to inform him of the circumstance. Looking around him, and seeing that the atmosphere was calm, and that the wings could not be endangered, he sent the servant back, with the laconic injunction to "let it burn," and continued his walk. Mrs. Middleton, however, did not view the thing quite so coolly, and took the necessary measures to have the fire extinguished.

Entertaining his friends liberally, and having always a well furnished table, he was, in an uncommon degree, plain in his own diet, and apparently so from indifference rather than from system. His pleasures were drawn from study and meditation, more than from an intercourse with society, and he had early acquired a habit of abstraction, which confirmed the natural reserve of his temper, and was perhaps sometimes mistaken for pride.

In his person, Mr. Middleton was of the middle size, perfectly well formed, with great muscular strength. His features were fine, and his countenance expressive of firmness and decision. His death was accounted a public loss; and deprived several of the first characters of South Carolina of a friend, to whom they were attached with enthusiastic ardour, and of whom some of them could not speak for many years, without visible marks of emotion. To use the language of a writer of the times, he possessed "the plainest manners with the most refined taste: great reading and knowledge of the world, concealed under the reserve of the mildest and most modest nature; a complete philanthropist, but the firmest patriot; cool, steady, and unmoved at the general wreck of property and fortune, as far as he was personally concerned, but with a heart melting for the sufferings and woes of others; a model of private worth and public virtue; a good citizen, a good father, and an exemplary husband; accomplished in letters, in the sciences, and fine arts; well acquainted with the manners of the courts of Europe, whence he has transplanted to his country nothing but their embellishments and virtues."



THE DUEL IN WHICH BUTTON GWINNETT WAS KILLED BY
COL. LACHLAN M'INTOSH.

BUTTON GWINNETT.

BUTTON GWINNETT was born in England about the year 1732, of respectable parents, whose circumstances were moderate. He received an excellent education, and when arrived at mature age, embarked in mercantile pursuits in Bristol. Having married in England, he resolved to emigrate to America, and in 1770, arrived at Charleston, S. C., where he remained two years, during which time he was engaged in trade. At the expiration of that period, he disposed of all his merchandise, and purchased with the proceeds a number of negroes, and a tract of land on St. Catharine's Island, in Georgia, where he devoted his attention to agriculture.

Having incorporated himself with the Americans, among whom he intended to pass the remainder of his life, he did not remain an idle spectator of their revolutionary struggles, but took an active and decided part in favour of his adopted country. The particulars of his early life are not known, but it is probable they were neither interesting nor important.

The improbability of a successful resistance to the claims of the British government, appears to have been his prevailing belief until the year 1775, about which period he formed a close intimacy with Dr. Lyman Hall, who was subsequently one of his congressional colleagues. The arguments and representations of Mr. Hall, who was himself an enthusiast in the cause of the colonies, no doubt conduced to remove those impressions; and this was more readily effected, as Mr. Gwinnett, however lukewarm, had always been favourable to the claims of the colonists. From that period, his zeal and unwearied exertions in the common cause became eminently conspicuous, and finally elevated him with great rapidity to the high dignities of the province.

The apparent indifference of Mr. Gwinnett in relation to the contested claims of the colonies, previous to the year 1775, arose from causes, having, in some degree, a direct influence upon his own per-

sonal prosperity and possessions, and especially upon the peace and safety of his family. With the finest feelings of the heart thus opposed to active interference in an uncertain contest, and with the full conviction that such a procedure, unattended with success, would involve the ruin of himself and those by whom he was surrounded, it cannot be surprising that Mr. Gwinnett proceeded with caution, and deliberately observed the progress of affairs, before he permitted his suppressed feelings to burst forth, and displayed that vigour and decision which created him a chief amongst his compatriots. The peculiar exposure of his family and property, situated upon an island where destruction was certain in case of invasion, because, in the actual posture of things, the defence of St. Catherine's by succour from the main land would have been impracticable, renders it rather a proud testimonial of the pure patriotism of Mr. Gwinnett, that he proclaimed his principles at so early a period, than a blot upon his fame that he repressed his sentiments at a time when the greater part of Georgia was actually opposed to the proceedings of the continental congress. Indeed, he actually paid the penalty of his disinterestedness, for his personal property was totally destroyed by the British. It was not until the fifteenth of July, 1775, that Georgia acceded to the general confederacy; and no part of the colony had been previously represented in congress excepting the parish of St. John, which, separating from the province, had appointed a representative on the preceding twenty-first of March. Hence, in fact, although numerous meetings had been held, and the subject amply discussed, no positive union with the sister provinces occurred, in any portion of the colony, until the beginning of 1775, at which period Mr. Gwinnett himself took an active part in public affairs. But it does not appear, although resident within the limits of St. John's parish, that he took any avowed interest in those preparatory operations, which had necessarily been for a long time evolving the bold and decisive measure that separated the parish from Georgia, and eventually led to the accession of the whole colony.

If Mr. Gwinnett, previous to the year 1775, had not become a conspicuous politician, the enthusiasm with which he subsequently maintained the colonial rights soon attracted the attention of his fellow citizens. At the meeting of the general assembly held in Savannah on the second of February, 1776, he was appointed a representative in congress. Mr. Gwinnett first appeared in the great national assembly on the twentieth of May, 1776.

At this time the idea of independence was considered visionary in Georgia: a redress of those grievances which had been imposed upon the colonies, and the permanent establishment of their just rights, demanded in a firm and decided tone, were all that was expected or required. This opinion was very prevalent in other sections of the country; but it required little foresight to determine, from the spirit which had long continued to actuate the representatives of the people, that some decisive measure would soon be adopted, and that the slender thread which still bound the colonies to Great Britain would be speedily severed. During the deliberations of congress, a few members had privately discussed the propriety of a Declaration of Independence, for some time before it was submitted to the house, which examined the expediency of the measure with closed doors. Zubly, one of the colleagues of Mr. Gwinnett, was opposed to any proceeding tending to a separation from the British government; but the reverend representative, not satisfied with his personal opposition to the measure, nor convinced of his inability to counteract the prevailing influence of his congressional brethren, secretly despatched a letter to the British governor, containing a full disclosure of this important state secret, and advising him to adopt preventive measures in Georgia. Fortunately, however, a copy of this communication was obtained by one of the clerks, and Mr. Chase, of Maryland, openly accused Dr. Zubly of treachery. Zubly stoutly denied the charge, and challenged his accuser to produce the proofs. Finding, however, that his perfidy would be clearly established, he immediately fled. Mr. Houston was directed by congress to pursue him, and to adopt every expedient measure to counteract any evils that might result from the disclosure. The treachery of Zubly, however, was attended with no evil consequences, but had the salutary effect of removing him from the congressional councils, and from the confidence of the people. Before Mr. Houston arrived at Savannah, the British governor had been made prisoner, but afterwards escaping, took shelter under the guns of some armed vessels then lying in Savannah harbour, near Tybee. Owing to these circumstances, the name of Mr. HOUSTON, one of the most firm and fearless patriots of the revolution, is not affixed to the Declaration of Independence; and Gwinnett, Walton, and Hall, were the only delegates from Georgia, who were present on that memorable occasion. On the ninth of October, 1776, Gwinnett was re-elected for the year ensuing, and, together with his colleagues, presented the customary credentials on the twen

tieth of December, in Baltimore, to which city congress had then removed.

During the session of the provincial assembly in September, 1776, held in Savannah, a convention was summoned to meet in February, 1777, to frame a constitution for the future government of the state. Mr. Gwinnett was elected one of the members of the convention; and the basis of the constitution, subsequently adopted, are said to have been framed by him.

Soon after the adjournment of the convention, the presidency of the provincial council became vacant by the death of Mr. Bullock, and Mr. Gwinnett was appointed to fill that high and honourable office. Having now attained the highest station in the province, within the short period of a year after his first appearance in public life, it might have been expected that the ambition of Mr. Gwinnett would, at least, have slumbered for a time. But his rise in the public favour appears to have been too rapid: it excited jealousies among those who had equal if not better claims to preferment, and an opposition to his views, which inflamed a temper naturally hasty, and engendered animosities which finally conducted him to his grave.

During the time he represented the colony in congress, he became a candidate for the commission of brigadier-general of the continental brigade to be levied in Georgia, in opposition to Colonel Lackland M'Intosh, but was unsuccessful. This disappointment is said to have caused him great vexation, and to have made a deep impression on his mind: from that period he seems to have considered Colonel M'Intosh as a personal enemy.

It was to be expected, in framing a new system of government, that the duties and powers of the component parts would bear a variety of constructions, and, in the first instance, not be properly understood. The discord, which the previous collision of interests had occasioned between the respective heads of the civil and military departments, was now rapidly increasing. Mr. Gwinnett had the address to secure in his interest a large majority of the executive council, and, for the purpose of mortifying his adversary, laboured to infuse jealousy into the public mind in relation to the relative powers of the civil and military authorities, strongly depicting the evil consequences that ensued from vesting military commanders and courts-martial with powers which could be more safely exercised by the executive and judicial authorities.

The necessary consequences of the power assumed by President Gwinnett over the continental army in Georgia, was contempt and

disrespect on the part of the officers and soldiers towards their proper commander, and the destruction of military discipline. When officers were charged with offences, either civil or military, the president claimed the right of trying the offenders before the executive council; and when it was necessary to despatch officers on military expeditions, he not only assumed the privilege of selecting the individuals, but of regulating their proceedings.

In conformity with the system which he had adopted, Mr. Gwinnett projected an expedition against East Florida with the continental troops and the militia of Georgia, to be commanded by himself in person. General M'Intosh was not consulted, nor was it intended by Mr. Gwinnett that he should command his own brigade; because, after passing the boundary of the state, the rank of the general in the continental army would have entitled him to the command.

According to the constitution which had been adopted, it was necessary, at this juncture, that the legislature should be convened, to organise the government. The presidential duties of Mr. Gwinnett prevented him from taking the command of the troops destined for the reduction of East Florida, and it was confided, by his orders, to the senior lieutenant-colonel of M'Intosh's brigade. This military expedition, which had been awkwardly planned, experienced a disastrous termination. The militia were surprised, and defeated with great loss, and the continental troops returned to Savannah without effecting any thing advantageous to the government. But the feelings of Mr. Gwinnett received a more powerful shock at the meeting of the state legislature, on the first Monday in May, 1777: he there offered himself as a candidate for the office of governor, and was successfully opposed by a competitor, whose pretensions and capacity he considered much inferior to his own, who was elected. This combination of events crushed the aspiring anticipations of Mr. Gwinnett, and terminated his short-lived political career.

The disappointment and humiliation of his constant antagonist naturally proved a source of exultation to General M'Intosh, who is said to have discovered great animosity in frequent and free discussions of his character. Naturally ambitious, and recollecting the rapidity with which he had been elevated to the most honourable and important offices of the state, it was not to be expected that Mr. Gwinnett would descend to the station of a private citizen, without making an effort to regain the public favour. Exasperated by the conduct and remarks of his adversary, mortified by the frustration of his hopes, and anxious to re-establish his popularity, he

formed the desperate determination of forcing his way to the political height from which he had fallen. A challenge was therefore conveyed to General M'Intosh, and they fought at the short distance of twelve feet. Both the combatants were wounded nearly in the same part of the body. General M'Intosh recovered; but the wound of Mr. Gwinnett proved mortal, and he expired on the twenty-seventh of May, 1777, in the forty-fifth year of his age.

Thus perished, in the prime of life, a patriot, who, during his short political career, had filled the most important stations, and eminently promoted the independence of his adopted country. The leading motive that urged him to engage in the fatal conflict of which he was the victim, is stated to have been the desire of reinstating himself in the public opinion.—The complication of events which oppressed the feelings of Mr. Gwinnett, may be pleaded in extenuation of the deed which deprived his country of one of its earliest advocates. The disastrous failure of his military schemes, his sudden fall from the highest office of the state to the rank of a private citizen, the defeat of his political hopes, the success of his competitor, and the triumph of an avowed enemy, may palliate an action which no sophistry can justify, and which it is our duty to condemn.

From the period at which Mr. Gwinnett engaged in agricultural pursuits, he devoted his leisure hours to political studies. The short interval of five years which preceded his death, did not permit him to attain a thorough education in the school of policy; but had his aspiring ambition been tempered with more prudence, he possessed talents which promised extensive usefulness.

He was about six feet in height, and his person was properly proportioned, lofty, and commanding. Without possessing remarkable eloquence, his language was mild and persuasive. His manners were polite, and his deportment graceful. He was of an irritable temper, and impatient of contradiction. He left a widow and several children, who did not long survive him.

Although the political career of Mr. Gwinnett was short, and its termination afflicting, his memory, stamped as it is upon the character of our independence, must be coeval with the duration of the American republic.





LYMAN HALL

LYMAN HALL.

AMONG the most strenuous advocates of the colonial cause, was Doctor LYMAN HALL, a delegate from Georgia. Although he does not appear to have acted a very conspicuous part in the proceedings of congress, he was, nevertheless, a useful member, and enjoyed the honour of representing that small, but patriotic, portion of the colony of Georgia, which, in opposition to the great majority of its inhabitants, resolved to unite in maintaining the general rights and liberties of the country. As a representative of the parish of St. John, he possessed a peculiar claim to the attention of congress, because the example of that district, as was anticipated, proved a strong incitement to the whole colony in their final accession to the general confederacy; this event occurred within four months after the appointment of Dr. Hall, and the whole thirteen provinces now stood in hostile array against the mother country. The weight of his influence, and his persuasive manner, mingled with a strong enthusiasm in relation to the cause which he advocated, materially influenced the parochial committee, of which he was chairman, and consequently the general inhabitants of the parish, in the adoption of that resolution which paved the way to the immediate accession of the colony of Georgia.

He was born in Connecticut, about the year 1731, where he received a classical education: he then commenced the study of medicine, and attained a proper knowledge of his profession at an early period of life. Before the age of twenty-one years, he married in his native province, and in 1752, removed to Dorchester, South Carolina. During the same year he again changed his residence, and established himself in the district of Medway, in Georgia, to which place he was accompanied by about forty families, originally from the New England states. He settled at Sunbury, where he continued the practice of physic until the commencement of the revolutionary contest.

Dr. Hall took an anxious interest in the revolutionary movement; and, on the twenty-first of March, 1775, was appointed to represent the parish of St. John in the next general congress.

On the thirteenth of May, Mr. Hall announced his arrival to congress, and being admitted to a seat, produced his credentials, when it was unanimously resolved that he should be admitted as a delegate from the parish of St. John, in the colony of Georgia, subject to such regulations as the congress should determine relative to his voting. A difficulty soon arose upon this point: during the deliberations, it became necessary to take the opinion of congress by colonies, when the imperfect representation of Georgia, the greater part of which was actually opposed to all their proceedings, made it a question whether the parish of St. John could be considered as representing that colony. After some debate, Mr. Hall arose, and observed, that the present distressed situation of American affairs had rendered this congress indispensable;—that it was composed of delegates representing whole colonies;—and that, as he merely represented a portion of a colony, he did not insist upon giving his vote as a whole colony, but was contented to hear and assist in the debates, and to give his vote in all cases except when the sentiments of congress were taken by colonies. He concluded by expressing an earnest desire, that the example which had been shown by the parish which he represented, would be speedily followed, and that the representation of Georgia would soon be complete.

On the fifteenth of July, 1775, the convention of Georgia at length acceded to the general confederacy, from reasons specified by their deputies. They stated that their attention had at length been aroused by the alarming and critical situation of affairs upon the continent of America; that they were desirous of uniting with the sister colonies in the great and important cause in which they were engaged; that the conduct of parliament towards the other colonies had been oppressive; and that, although the prejudicial acts had not been extended to them, they could view this only as an omission arising from the apparent insignificance of their colony. The delegates appointed by the convention, were Archibald Bullock, John Houston, the Rev. Dr. Zubly, Noble Wimberly Jones, and Lyman Hall; three of whom attended at the adjourned meeting of congress, September thirteenth, 1775.

Mr. Hall appears to have been absent until the twentieth of May, when he presented new credentials, dated February second, 1776, confirming the re-election of Messrs. Houston, Bullock, and himself,

and the addition of George Walton and Button Gwinnett to the delegation. The appointment of Mr. Bullock to the presidency of the provincial council prevented him from proceeding to congress; and Mr. Houston was directed, by a resolution of that body, to return to Georgia on public business, in June, 1776; hence only three members from that state were present at the signing of the Declaration of Independence. The approach of the enemy having rendered it insecure to continue the session of congress in Philadelphia, that body met, by adjournment, in Baltimore, on the twentieth of December, 1776, when Mr. Hall presented credentials, dated October ninth, of his third re-election; in 1780, he made his final appearance as a national legislator.

But the abandonment of his profession, the devotion of his time, and the deprivation of domestic enjoyment, were not the only sacrifices that were made by Mr. Hall at that eventful period. When the British took possession of Georgia, he was compelled to remove his family to the north, and all his property was confiscated by that government. He returned to Georgia in 1782, before the evacuation of Savannah, and was, in the succeeding year, appointed governor of the state. He afterwards settled in Burke county, retired from public life, and died about the sixtieth year of his age; one of the counties in that state now bears his name. His only son died not long before, and he left a widow in independent circumstances.

He was about six feet high, and finely proportioned: his manners were easy and polite, and his deportment affable and dignified; the force of his enthusiasm was tempered by discretion, and he was firm in all his purposes and principles; the ascendancy which he gained, sprung from his mild, persuasive manner, and calm, unruffled temper. Possessed of a strong, discriminating mind, he had the power of imparting his energy to others, and was peculiarly fitted to flourish in the perplexing and perilous scenes of the revolution.

GEORGE WALTON.

GEORGE WALTON was born in Frederick county, in the province of Virginia, about the year 1740. The disadvantages which he encountered in early life, serve to render his subsequent successes more brilliant and extraordinary; and, while they command an extended portion of our admiration, leave us to imagine the probable expansion of such a mind, had it been nurtured and directed by competent education. He neither was educated at any public school, nor received the benefits of classical knowledge, excepting his acquisitions at a mature age. He was apprenticed to a carpenter, who rigidly required the performance of his daily labour: nor would he allow him the use of a candle to pursue his readings at night. But his zeal for the acquisition of information was not to be checked by this privation. It was his practice to collect light-wood during the day, by the torch-light of which he diligently pursued his studies until the expiration of his apprenticeship, at which period he found himself in possession of an ample share of knowledge, both practical and theoretical. He then removed into the province of Georgia, where he prosecuted the study of the law, under the superintendence of Henry Young, Esq., a gentleman who possessed a distinguished professional, as well as political character. Having completed his studies, and attained a competent knowledge of the general principles of law, he embarked in his professional duties in the year 1774. His legal preceptor was opposed to the proceedings of the colonists, but the mind of Mr. Walton was too independent to be contaminated by his political opinions. From the commencement of the contest, he was a firm and zealous advocate in the cause of his native country. He never swerved from the principles which were, at this early period, planted in his breast, and always preserved, throughout his political career, the character of an honest, determined, and persevering patriot.

While the British government was in full operation in Georgia,



GEO. WALTCH

and the governor supported by an executive council of great talents and firmness, the annexed notice, to which were attached the names of Noble W. Jones, Archibald Bullock, John Houston, and George Walton, appeared in a newspaper of Savannah :

“ The critical situation to which the British colonies in America are likely to be reduced, from the alarming and arbitrary impositions of the late acts of the British parliament, respecting the town of Boston, as well as the acts at present, that extend to the raising of a perpetual revenue, without the consent of the people or their representatives, is considered as an object extremely important at this critical juncture ; and particularly calculated to deprive the American subjects of their constitutional rights and liberties, as a part of the British empire. It is therefore requested, that all persons within the limits of this province do attend at the *Liberty Pole* at Tondee’s tavern in Savannah, on Wednesday the twenty-seventh instant, (July, 1774,) in order that the said matters may be taken under consideration, and such other constitutional measures pursued, as may then appear to be most eligible.”

The friends of these measures accordingly assembled at the Liberty Pole, which was planted in the centre of Broughton street, and a warm and animated debate ensued, in which Mr. Walton took a distinguished part. A committee was appointed to institute a correspondence with the different parishes, inviting them to co-operate and unite with the other provinces in America. Governor Wright and his council, opposed these energetic measures with that mild firmness which was best calculated to counteract them ; and influential messengers were despatched to the different parishes, for the purpose of obtaining signatures to a solemn pledge in support of the royal cause.

On the twelfth of January, 1775, a meeting of the citizens was convened, at which the animated exertions and eloquence of Mr. Walton in the support of decisive measures, in unison with the other colonies, were again eminently conspicuous. But the warmth of feeling, and decision of character, which at that period characterized the incipient efforts of those who subsequently rose to elevated stations in the state, were not entertained by a majority of the meeting. Contrary to the wishes of the more determined patriots, they appeared determined to pursue that temporising policy which had previously been adopted, notwithstanding the repeated proofs of its inefficacy, and of the inattention and contempt with which the remonstrances of the colony had been received by the British ministry.

The disappointment and mortification of the friends of rational liberty were complete, when it was discovered that all their exertions would result in the preparation of a petition to be submitted to the legislature, and presented to the king, by Dr. Franklin. Mr. Walton was a member of the committee by which it was prepared; but it participated in the fate of its numerous predecessors, and merely served to subject the inhabitants of Georgia to the same humiliation, which had been experienced in the other colonies.

The legislature of Georgia assembled on the eighteenth of January, 1775, and the governor, in his customary communication, recommended the temperate discussion of such subjects alone, which related to their duty as loyal subjects, and the submission which they owed to the crown. This body at length adjourned without transacting any business satisfactory to the British governor, or taking any decided steps in opposition to the royal government. The inhabitants of the parish of St. John, at length wearied with the numerous ineffectual attempts to induce a majority of the people of the province to unite with their sister colonies, resolved to display their own feelings of patriotism, and in some degree secede from the provincial government, by appointing a delegate to congress, for the purpose of representing their particular parish. Lyman Hall was consequently elected, and admitted to a seat in that body, in May, 1775.

The progress of the revolution in the other colonies, soon rendered it necessary that Georgia should take a decided part, either in favour of, or in opposition to, the royal government. The cause of liberty proved triumphant notwithstanding the apprehensions excited by the Indians, whose friendship and support had been secured by the agents of the British government. Those who were exposed to the desolating fury of these barbarians, with the best inclination towards the colonial cause, entertained strong doubts of the policy of acting in conformity with their wishes. At length William Ewin was appointed president of a council of safety, with instructions to correspond with similar councils in the other provinces; and in the month of July, 1775, the convention of Georgia acceded to the general confederacy, and elected Lyman Hall, Archibald Bullock, John Houston, John J. Zubly, and Noble W. Jones, Delegates to represent the state in congress. The legislature again convened in January, 1776, and appointed Mr. Bullock president of the executive council. A majority of the members were now so strongly opposed the royal government, that the communications



THE OLD RESIDENCE OF GEORGE WALTON

of Governor Wright were entirely disregarded. Having threatened a resort to military force, comprehending a few infantry, and five or six small armed vessels lying in the harbour of Savannah, the members of the legislature became justly indignant, and being firm in their decision not to be compelled to act, at the point of the bayonet, contrary to their principles and sense of duty, they resolved to seize the person of the governor. Colonel Joseph Habersham, one of the members, executed this order. The parole of the prisoner to confine himself within the limits of his own house, was accepted; but becoming, in a short time, dissatisfied with this mild and liberal arrangement, he broke his parole, escaped and took refuge on board the fleet, and subsequently made an unsuccessful attack upon the town.

On the second of February, 1776, the talents and integrity of Mr. Walton were fully recognised by the state legislature, which appointed him a delegate to congress: he was re-elected in the following month of October, and delivered his credentials on the twelfth of December, being the last day of the session in Philadelphia, previous to the adjournment of congress to Baltimore. On the twenty-first of December, the confidence reposed in him by his fellow-members was evinced by his appointment, in conjunction with Robert Morris and George Clymer, on an important committee, invested with powers to transact such continental business as might be proper and necessary in Philadelphia, from which city congress had thought it prudent to retire. Two hundred thousand dollars were placed at their disposal, for the purpose of providing the militia going into service; for paying the soldiers from Ticonderoga; and for other proper public services: they were also empowered to call upon the commissioner of the loan-office for such further sums as the continental service might require. On the seventh of January, 1777, and twenty-sixth of February, 1778, he was successively re-elected, and on the fifteenth of May, 1780, he again took his seat among the sages of the revolution: it does not appear, however, that he was an acting member of the delegation in the year 1778. As a member of the board of treasury, of the marine committee, and of various minor committees, he displayed much zeal and intelligence. In October, 1781, he finally retired from the great national council, in whose proceedings he had so long and ably assisted.

In December, 1778, Mr. Walton was appointed a colonel of militia, and commanded a battalion on the right of General Howe's army, when Savannah was taken by the British troops, under

Colonel Campbell. This battalion sustained the attack, and made an obstinate defence, until Colonel Walton received a wound through the thigh, fell from his horse, and was taken prisoner. He was paroled until he recovered from his wound, and then transferred to Sunbury, as a prisoner of war. The high station of Colonel Walton as a member of congress, and his signature to the Declaration of Independence, induced the British government to demand a brigadier general in exchange for him; but the term for which he was elected having expired, he was ultimately exchanged, as a lieutenant-colonel, for a captain of the navy, in September, 1779.

After the unsuccessful siege of the combined armies, under the command of General Lincoln and Count D'Estaing, in October, 1779, the state legislature was convened at Augusta, when Colonel Walton was appointed governor of the state. At the expiration of the session, which occurred in the succeeding January, he was elected a member of congress for two years.

At an early period of the war, discord and jealousy had been excited and fostered between the civil and military departments of the state government then under the administration of President Gwinnett. The evils which this controversy appeared likely to create, had induced the members of congress from Georgia to request General Washington to order General M'Intosh, who commanded the continental troops, to join the grand army, and to supply his place with another officer of equal grade. This request having been complied with, M'Intosh was succeeded by General Howe, but the beneficial effects expected to result from it, were not produced. In a letter, subsequently written by Mr. Walton to General M'Intosh, he observes that "the demon, discord, yet presides in this country, and God only knows when his reign will be at an end. I have strove," he continues, "so hard to do good with so poor a return, that, were the liberties of America secure, I would bid adieu to all public employment, to politics, and to strife; for even virtue itself will meet with enemies." A party in Savannah had formed themselves into a society, under the popular denomination of the *liberty club*, which had several branches in the different counties, acting under its jurisdiction. Their ostensible design was to prevent the encroachment of the military upon the civil authorities; but the confederacy at length became so numerous and powerful, as to possess the entire control over all public appointments.

During the session of the legislature in Augusta, a letter was forged, and transmitted to the president of congress, dated Novem-

ber 30th, 1779, of which the following is an extract: "It is to be wished that we could advise congress that the return of Brigadier-General M'Intosh gave satisfaction to either the militia, or confederates; but the common dissatisfaction is such, that it is highly necessary that congress should direct some distant field for the exercise of his abilities." The name of the speaker of the house of representatives was affixed to this letter, but he explicitly disavowed it, and declared the signature to be a forgery. General M'Intosh charged Mr. Walton with an indirect participation in this imposture, by giving credence to the contents of the letter when it was submitted to congress, to the great injury of his military reputation. The documents and proofs in support of this extraordinary accusation, were laid before the legislature of Georgia, in January, 1783, and the decision, as it is recorded upon the journals, exhibits a strange inconsistency, for which it is difficult to account. A resolution was passed, conveying a vote of censure upon the conduct of Mr. Walton, and recommending an order to the attorney general, to institute such proceeding against him as the case required. Now the same body had, on the preceding day, appointed Mr. Walton chief justice of the state of Georgia; and, therefore, he was chosen to preside over the only tribunal in the state that held cognizance over his own trial. At this period, Judge Walton and General M'Intosh were respectively at the head of the civil and military departments in Georgia; and it is probable that the legislature wished to terminate and adjust the misunderstanding in such a manner as might prove least offensive to either: or perhaps it was their desire to exhibit some evidences of a friendly disposition to both.

It is an irrefragable evidence of the great talents of Mr. Walton, and of their proper appreciation by the people of Georgia, that, during the remainder of his life, he held, in almost uninterrupted succession, the most respectable appointments that the government could confer upon him. He was six times elected a representative to congress:—twice, governor of the state;—once, senator of the United States;—and four times, judge of the superior courts: the latter office he held during fifteen years, and until the day of his death. He was one of the commissioners on the part of the United States, to negotiate a treaty with the Cherokee Indians in Tennessee, and several times a member of the state legislature.

One of the principal duties of the biographer is to convey an idea of the peculiar traits which mark the character of his subject. From an early period of his life to its close, Mr. Walton was as warm in

his attachments as in his enmities: he possessed no mixture of that temporising policy, so frequently successful in gaining the confidence of mankind. There was a dignified sternness in his manners, which evinced a contempt for the world in general; but towards talents and merit, he was scrupulously respectful and attentive. His temper would not permit him to brook the slightest indignity offered to his official stations, with impunity.

Mr. Walton was not very abstemious in his manner of living, and his partiality for study imparted a sedentary habit at an early period of life; hence, before he attained its meridian, he was afflicted with the gout, which caused him much suffering during his declining years. On the second of February, 1804, he closed his laborious life in Augusta.

THE END.





THE MONUMENT ON GREENE ST.
as seen from Broad St. Augusta Ga.



